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of Ontario**

First Session, 36th Parliament

**Assemblée législative
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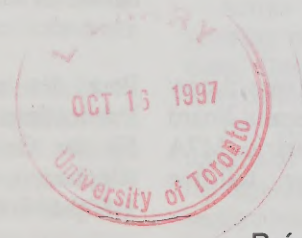
Première session, 36^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Thursday 9 October 1997

Jeudi 9 octobre 1997



Speaker
Honourable Chris Stockwell

Président
L'honorable Chris Stockwell

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 9 October 1997

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 9 octobre 1997

*The House met at 1000.
Prayers.*

PRIVATE MEMBERS' PUBLIC BUSINESS

VEHICLE SAFETY

Mr Gerry Martiniuk (Cambridge): I move that in the opinion of this House, the government of Ontario should request the Ministry of Transportation to amend regulation 628 of the Highway Traffic Act, to include mandatory safety checks on used leased vehicles.

The Deputy Speaker (Mr Gilles E. Morin): Pursuant to standing order 95(c)(i), the member has 10 minutes for his presentation.

Mr Martiniuk: I'm pleased to have the opportunity to bring an important issue to the House today. This resolution, dubbed "the lemon leasing resolution," speaks to a very serious and potentially dangerous problem on Ontario roads. We are asking that the Ministry of Transportation amend regulation 628 of the Highway Traffic Act to include used vehicles that are leased. This is an important consumer protection issue and also an important safety issue. Ontario families deserve to be protected.

In September 1996, a local constituent, an elderly woman, a senior citizen in my community of Cambridge, walked into my office. This lady, with limited English skills, explained that she had leased a used car for herself and her family. She did not understand how the car she had leased could have so many problems, many of them safety related. After investigating her complaint it became very obvious that this woman and her problems had fallen through the cracks of a system designed for consumers buying a used car, not leasing a used car. With this resolution, members of this House can help make consumers aware of this growing problem.

Safety checks are required on all vehicles sold in Ontario. However, a safety check is not required if a vehicle is leased. A leased vehicle does not change ownership and therefore a safety check is not required.

Many Ontarians may ask how this obvious loophole came to exist in a province that prides itself on consumer protection and public safety. The Minister of Transportation has an efficient ministry and his staff work very hard to ensure our transportation system is one of the safest in North America. But the market has developed faster than expected. Leasing has become very popular very fast.

Regulation 628 of the Highway Traffic Act, the current regulation covering safety checks, was developed by

combining a series of regulations in the 1970s to protect consumers when buying a used vehicle. It does not recognize a used car lease. Regulation 628 has done its job in the past; however, it has not kept pace with the growing practice of leasing a used vehicle.

Industry experts say the problem has the potential to grow very rapidly. Nearly 1.3 million vehicles are transferred in Ontario each year; those are used vehicles. There may be as many as a quarter of a million potentially unsafe leased used vehicles on Ontario roads at any given time.

Maybe some people watching, and perhaps some members of the House, are not familiar with what a safety check does cover. It covers the following: body and chassis, seatbelts, mirrors, glass and windshields, speedometers, lamps and reflectors, the fuel system, the exhaust system, the brakes, the horn, the accelerator linkage, steering, suspension, wheels and safety. You can see this all-inclusive list relates directly to the safety of that vehicle on the road.

The practice of leasing has increased significantly in Ontario. Approximately 149,000 new vehicles are leased yearly. The average lease is 30 months. Many people in Ontario are choosing the leasing option. Vehicles are being re-leased for the second or third time, and this will increase more and more as more vehicles are turned in on their original lease program.

The car dealers operating in our province pride themselves on quality. Most dealers go the extra mile to ensure they sell first-class vehicles to Ontario consumers. Stakeholders in the industry want to see a change in the present regulations. The Ontario Automobile Dealer Association and the Used Car Dealers Association of Ontario both express support for this resolution.

Across Canada, many jurisdictions are faced with this growing problem in their outdated safety-check regulations. Ontario can be proactive in protecting consumers and meeting this growing market trend head on.

The provinces of Prince Edward Island and Newfoundland have already addressed this problem through the registration process. New Brunswick and Nova Scotia require yearly safety checks in any event. British Columbia, Alberta, Saskatchewan, Manitoba, Quebec and Ontario have not yet addressed the problem.

I am not saying we should create a new system that is a burden on the industry or creates needless red tape or expense for consumers. The Ministry of Transportation consults with stakeholders regularly. A fair, balanced amendment to regulation 628 must be developed.

This resolution makes sense. The market has evolved faster than the law. We must address this growing problem and market trend. I hope all members of the House will support this important resolution to protect all citizens of Ontario.

1010

Mr Mario Sergio (Yorkview): I'm pleased to join the debate on the resolution presented by the member, Mr Martiniuk. At first glance you would think this was something that was already done, was something already existing in our laws, with respect to the leasing of cars. I have to say at the outset that even I thought that every car, new or old, resale cars, whatever, came with the necessary approvals and all kinds of checkups, to make sure that the car is roadworthy and safe to be on the road, regardless of whether it's a new car or a resale. I'm pleased the member has introduced this resolution this morning which will immensely improve the leasing of used cars and leased cars when they hit the road.

I think it has merit for many reasons, not only from the consumer's point of view. Of course today leasing is becoming more and more popular. Normally when people have to lease a car, have need of renting or leasing a car, they usually do that practically on the spur of the moment because of a number of personal requirements, let alone if they're going on holiday. It could be because of accidents, stuff like that, so really they are not familiar with the regulations entailed when leasing a particular car. I think it's important that this is in the record, that this is done properly and that motorists are protected.

Nowadays, I don't have to tell you that cars are being used more and more by youngsters, by women, by all kinds of people for work, for pleasure. The automobile is being used more and more. The fact is there shouldn't be any difference between a used vehicle and a new vehicle. It also shouldn't be any different if there is no change in ownership, as the member just alluded to. I believe that a car, once it's put on the road, must be in excellent working condition. A safety check does mean that yes, there is enough oil, yes, there is enough brake fluid, yes, the wheels have the right pressure, stuff like that. I think every mechanical part must be functioning and offer peace of mind to the person who is leasing the automobile.

It would be terrible if a family, let's say, let alone for work or whatever, was on a trip, especially travelling on holiday, and they got stuck perhaps on a very lonely stretch of road or highway at a particular time of the day or night and the car was failing because of mechanical problems. I don't think the public should be subject to situations like this. If the proposed resolution deals with the leasing of a so-called lemon, I think it's quite proper. I don't think anyone, either reselling a car or a leasing company, should get away with that. I believe it's incumbent upon us, upon the government, to make sure that cars put on the road by leasing companies are done in such a way that protection is offered to the consumer and the public in general.

When it comes to the matter of ownership — and this is a good point that the member has in his resolution — it's

not a question that because it's a leasing company and there is no change in ownership that a safety check is not required. I think this is perhaps a loophole. It's a fault of the existing legislation. I note that the Minister of Transportation has shown many, many times in the House his personal interest in making roads safer and he has taken to heart the safety of all passengers and motorists at large. I'm sure he would very willingly and expeditiously comply with such a request. I would also like to add that perhaps situations like this do exist within the Highway Traffic Act and the minister would do very well to see that every possible regulation is revisited and makes it so that indeed every car is safe on our roads.

I believe it's not enough to say, "Listen, Ontario has one of the cleanest and safest records when it comes to transportation, cars, pollution and stuff like that." Yes, there is a big problem as well, and if I have time I want to touch on that, because there is nothing more aggravating than sitting behind a truck or a car spewing the worst kind of pollution that we can see and nothing is being done about it. This is one area I would invite the Minister of Transportation to seriously look at, the pollution not only in older cars but sometimes even new cars because of poor maintenance and stuff like that.

I think it should be incumbent upon the minister to really take a serious look at this resolution for a moment as the first thing that he has to look at. I would look at it that this would be approved in the House today and move it on. Indeed, it's not that we are moving away from summer, which is a period that leasing cars becomes more perhaps the thing than any other particular period during the year, but I think it is an aspect of the regulation that is important throughout the year, especially during the winter months. If it's in the summertime, perhaps you may want to walk a mile or so to reach some help, a telephone or a gas station, but in wintertime it may be very dicey if you were stuck because of a mechanical problem that someone would encounter in a leased car. It would be very irresponsible if we were not to take these particular precautions.

It is indeed a good idea and I don't think this would find any opposition from any segment of the population with respect to this maybe sounding like an additional expense on anyone, any company that may be in the leasing business. I think this should be well accepted as a measure of providing good service to the public, of providing protection to the public. I don't think this should come as a surprise, if you will, or as a burden of additional expenses to a leasing company. I'm sure they are all serious in running a good business and everyone would take into consideration the delivering of safety to their cars.

As I was saying before, I'm surprised that this does not affect the car itself, that with respect to the ownership, if you are a leasing company, because the car does not change ownership, that car is not subject to safety checks on a regular basis. This is a major fault of our laws as they exist. As a matter of fact, this should be more so than any

other vehicle because of the frequent change in driver, if you will, the change in operator of that particular vehicle.

Why is that? Because when you have a number of different operators, the car tends to be driven in different ways. That car will be driven in different places, in different road conditions. The car will be utilized for different uses and managed differently by each driver. I don't have tell you that we have very conscious drivers, we have very attentive drivers and we have some reckless drivers as well, and sometimes when they drive on bumps, curbs, they don't try to take care of the car because it is a leased car, so I think it is incumbent upon on us and upon the companies to make sure that every car that is exposed to a road and given to anyone, young women or any other persons, to be driven especially with children in them, is safe, that those cars are worthy to be on the road.

1020

I think the member has given an amount of some 120,000 or something like that leased a year, which is a large number of cars being leased on a yearly basis. As he said, the trend is increasing. I think it is something we have to look at. It's something that should have been addressed a long time ago. I would say that most of the populace is not aware of this very large loophole within the regulation, the Highway Traffic Act, and I am sure the minister would be very happy to take this into consideration and make sure every leasing company and even car dealers, because car dealers are in the leasing business as well — some garages, for example, may have a leasing licence as well.

The fact that we require anyone leasing used cars, as I said before, it shouldn't make any difference if it's new or a used car — a lot of those places already have at their disposal every facility to make sure a car that is put on the road is safe. What better safety check can be given than passing on to the person leasing the car, the lessee, a copy of a certificate to show that the car has a safety certificate, that it has been certified as worthy of being on the road?

I think the public must be educated to that as well. I would say the general public is not aware that this is not part of our present legislation, part of our present regulations. The public would be well served. I think the leasing companies, be they garages, banks, or just leasing companies, should provide a copy of the safety certificate when they lease a particular car. The public would come to know that; the public would come to appreciate that.

For my part, I am pleased to support the member as he has introduced this legislation. I hope it will receive the necessary approval so we can get on with the business at hand and provide safe cars for the general public.

Mr Gilles Bisson (Cochrane South): Let me say at the outset that I am generally in favour of what the member is trying to do here. I think there are some problems in the application, but that's something that could be looked at if this bill passes second reading today and goes to committee. Generally, I am in favour of the direction of the bill.

What really amazes here is the role the Tory members play in this House when it comes to private members'

hour. I recognize private members' hour is here for us as members to come in and present bills, but there seems to be a difference in the approach of the government, the Tories, when they are together as a caucus from when Tories are alone, operating individually in the House, such as in private members' hour. We know that the government, the Tory caucus, prides itself greatly in reducing regulation and getting rid of all kinds of impediments, as they see it, to business. They believe smaller government is better, having fewer laws is better, having no regulation is best, "Let the marketplace do its own thing; the private sector knows how to do it best; let the marketplace dictate; government has got no role there; keep them out of the face of business."

But every Thursday morning we see Tory members coming to this Assembly with yet more regulation, so I've got to ask myself, are Tories saying one thing when they're in caucus and saying quite another thing when they operate individually as members? I'm not going to be that cynical, but the point I want to make is simply that when government members operate on their own, individually, they start to recognize that government has a role and government can play a positive role in our lives and government at times, yes, must write laws and at times must even regulate if there are situations where the public is at risk.

It's heartening to see that some of the individual government backbenchers, the majority of them, come into this House at private members' hour and pass private members' resolutions, but I wish they would go back to their caucus meetings on Tuesday mornings and say: "Mike, we believe government has a role. We're here as legislators and we want to make sure we are here primarily to do our business, which is serving on behalf of the people of Ontario, and in cases where there are injustices or in cases where there are problems, yes, the government has a role to pass laws." Imagine a society with no laws and no regulations. You'd be able to run down the highway at any speed. You'd be able to purchase equipment without any kind of safety regulations or concerns. I just make that point.

I wonder if members of the House are familiar with a program called *Star Trek*, *Deep Space 9*. They have this spatial phenomenon inside it. It's called a warm hole. A warm hole is a phenomenon which, when you put an object in it, comes out at the other end quite far away from where it's at. I would suggest that in private members' hour there is something called a warm hole when it comes to the individual Tory members, because they are certainly far away from the positions they take when they are together as a caucus, as they demonstrate here in the mornings.

I would just say to the member across the way, I think your resolution, or your private member's bill, actually, makes some sense. I can tell you that under the Bob Rae government, Mr Pouliot, the member for Nipigon and at the time the Minister of Transportation, had done similar things when it came to used vehicles. We recognized at the time that there was a real problem in the marketplace

when it came to what they called curbsiders selling vehicles off curbsides that, not all of the time but in a lot of cases, were selling unfit vehicles, and unsuspecting buyers trying to get a good deal — which is what we are all trying to do in this life when we go out and buy something, get the best possible price — were getting it in the ear — maybe a good price, but certainly in a lot of cases they were not getting a good product.

I take it what the government member is trying to do at this point is to expand on the work Mr Pouliot had done and say, "We need to take a look at leasing arrangements." In those cases, as he rightfully pointed out, there are some cases where you may have people operating in a shadier way than they need to be and are leasing vehicles to people that have a lot more mechanical problems than the buyers or lessees are willing to pay for.

The other thing is, I hope the Tory member had a chance to talk to some of his Tory colleagues in his caucus. I remember when we moved forward on the curbsider legislation there were grave concerns on the part of a number of Tory caucus members in the then third party; and individually it was the Speaker himself, Mr Chris Stockwell from Etobicoke, who came into this House and was really upset with what the government was doing. You know that in his former life, before he ever became our Speaker, he leased and sold vehicles here in the city of Toronto; I think his business was actually in Etobicoke.

Mr Al Palladini, the Minister of Transportation, is in the automobile business, and a whole bunch of other people in the Tory caucus. I hope the member across the way had a chat with them. I'll be really interested to see how many of those Tory caucus members who own vehicle leasing companies and car lots are going to be here voting in favour of this private member's legislation. I would hope he has talked to them and I hope they concur. I'm very much looking forward to seeing them in this House so they can pronounce their position on what is I think a very progressive private member's bill.

1030

Mr Jim Flaherty (Durham Centre): I am pleased to have an opportunity this morning to speak briefly in support of this resolution by the member for Cambridge. It is in my view an appropriate type of private member's resolution since it seeks to fill an gap we have in our legislative and regulatory framework with respect to safety checks on motor vehicles in the province.

I think almost everyone in the province would agree, and I'm sure my friends opposite would agree, that it's important from a consumer safety point of view, from the point of view of all users of the road, all of us and our children, that vehicles be safety checked. We have this gap that exists in the legislative and regulatory framework where leased vehicles that do not require change of ownership, as leased vehicles do not, are not required, as used vehicles, to have a safety check. This resolution proposed by the member for Cambridge addresses that gap in that structure, which is appropriate, and I think most people who have reviewed this issue would also come to that same conclusion.

The resolution provides for mandatory safety checks on used leased vehicles. I know from my discussion with automobile dealers in my own community of Whitby that there's an increasing number of vehicles that are sold as leased vehicles. It seems to be a popular option that people are pursuing increasingly. The resolution's all the more relevant because it is a situation that's increasing around the province.

I also had an opportunity to discuss the resolution with an important good corporate citizen in Durham region, which is General Motors of course. They told me that this is the type of regulation they would support. They told me further that they already have this in practice at GM Leasing, although it's not a legal requirement now. As good corporate citizens, they're already practising this safety check procedure.

I congratulate the member for Cambridge for bringing it forward. All of us want to make sure we're safe on our highways in the province, having our own vehicles checked and having other vehicles checked as well, so that we can be sure as we drive along the highways that the vehicles coming toward us are in good condition and have been checked, whether they've been purchased outright or leased. I congratulate the member and I support the resolution.

Mr Floyd Laughren (Nickel Belt): I am pleased to rise in my place and engage in this debate. I would invite the member for Durham East to come over and join me as I engage in this debate. I need all the help I can get. I must say that I rise to support this intrusion in the marketplace by the Tory backbencher. I can tell you I'm getting phone calls from all across Ontario as Tory backbenchers come in here and keep urging their government for yet more intrusion in the marketplace.

We had the member for Quinte in not too long ago on gasoline prices, saying the marketplace was not appropriately handling the problem. That's what the member for Quinte said.

Now we get the member for Cambridge saying that the marketplace is not doing a good job on safety checks for leased vehicles.

I happen to agree with him, but I'm not a Reform-a-Tory. I have every right to think there should be more regulation when it comes to health and safety; in particular, for safety checks for leased cars. It is strange to see these Tories coming in here week after week after week with regulation after regulation after regulation. You're going to sink in a sea of regulations by the time you're through. I thought this was the government that was trying to deregulate. Is there no end to it?

I know the member for Durham East wouldn't do something like this. He wouldn't come in here and urge yet more regulations on the long-suffering taxpayers of this province, because these regulations do cost money. But then I stop and I think, now wait a minute, the backbenchers are coming in and saying — I'll be very specific; I don't want to misquote the member for Cambridge — "That in the opinion of this House, the government of

Ontario should request the Ministry of Transportation to amend regulation 628 of the Highway Traffic Act."

For those people in our vast viewing public who might not be aware of the difference between regulation and laws, laws of course can be changed only through this Legislature where we have a packed legislative agenda; regulations, however, simply go to a committee of government, not of the Legislature. They don't require the blessing of the Legislature as a whole. If the backroom folks in the Tory party get together in the caucus — I'm sure they have a regulations committee of their caucus and of their cabinet — and they bring forth regulatory changes and they pass them through cabinet, they're given approval and that's it, end of debate.

I say to myself, why would the member for Cambridge feel he has to bring it here to the Legislative Assembly as a whole to get a regulatory change? I don't mind that he does it, but it is shamelessly exploiting the Tory party's vulnerability. Why anybody would exploit their own vulnerability, I don't know. But that's what he's doing when he says: "We want more regulations. This government is in favour of more regulations."

I think it's time you started getting a little more consistency in your message because I'm worried that the public out there is going to be confused as to who's governing: New Democrats or Tories in the province of Ontario? Do you think there's any chance?

Mrs Lillian Ross (Hamilton West): I don't think there's any chance; I don't think so. That's a big stretch.

Mr Laughren: You don't think there's any chance of confusion? I don't know. If day after day after day they come in here with all these regulatory changes, people are going to say, "This can't be a Tory government." I'm worried about your Reform supporters out there all across the province. You have a lot of Reform; you've elected Reform people to your caucus. What are they saying to you at your caucus meetings, more regulations? I doubt it somehow that your Reform members are encouraging you to bring forward these requests for more regulations. Somehow I just don't believe it.

But having said all that, I don't think this request for a regulatory change should take a full hour. I support it fully because, as the member for Cambridge says, there's a dramatically increased number of vehicles being leased out there in the province. It really is a phenomenon that's taken hold. It makes eminent good sense to me that there should be safety checks required on leased vehicles just as there are for vehicles that are sold. I have no hesitation in supporting the member for Cambridge and urging him and his colleagues to selectively bring forward requests for yet more regulations in Ontario.

Mr John O'Toole (Durham East): It's a pleasure to rise today to contribute to the discussion in support of the member for Cambridge's resolution. The resolution we're discussing this morning I believe has unanimous consent of the House and everyone is going to support this because it's about safety.

The resolution is that it be resolved, "That in the opinion of the House, the government of Ontario should

request the Ministry of Transportation to amend regulation 628 of the Highway Traffic Act, to include mandatory safety check on used leased vehicles." The difference here being: used leased vehicles.

Members of the House should know that in the research Mr Martiniuk has done, he's found that many other provinces have addressed this problem, with the exception of BC, Alberta and Quebec. Ontario is examining the options and choices that have been made in other jurisdictions within Canada.

Also the whole issue here is protecting the consumer. The current regulations were developed after many years of consultation to address the transfer of ownership process for — at that time, in the 1970s — what were prior-owned vehicles, used vehicles. But today the situation is changing.

In Ontario, 35% of all new sales are leased vehicles. Of the approximately 450,000 vehicles sold per year, 35% of those are leased and, of that, there's a good portion, perhaps 150,000, that are actually leased used vehicles. When the plate transfer takes place, there's no requirement in the regulations now to have a safety check. All other transactions do require a safety check. What the member's trying to do is address a long-standing deficiency in the transfer process.

In my own consultations on whether or not I should be supporting this resolution, I spoke to the dealers in my area. Of course, in Durham East, the member for Oshawa, Mr Ouellette, and myself, represent a lot of people who work in the auto industry. There's no question of that; that's our job.

I spoke to Tom Cowan from one dealership and Bill Nurse from another dealership and they were generally supportive. They would like to see a little more clarity on when the specifications within the regulations would require that there be a safety check.

I talked to Doug Bramley, the manager of used vehicles at Roy Nichols, and he told me, for example, that a vehicle with under 30,000 kilometres quite often is in just fine shape. He said, "Perhaps we could set a limit, that 15,000 kilometres would not require a mandatory safety check, but over that, it would." He said, "Eventually the customer has to pay for the safety check."

I think, to be reasonable and prudent in this decision, we want to deal with safety and we want to deal with customer satisfaction. The member's resolution goes a long way towards providing the consumer with the protection that's needed in a purchasing consumer environment that is changing.

Thank you, Mr Speaker. I will be supporting the resolution.

1040

Mr John Hastings (Etobicoke-Rexdale): I'm certainly glad to join in today's resolution in private members' hour and to deal with the resolution by the member for Cambridge. I think the member for Cambridge has acted in a very responsible and responsive way in how he approached this whole issue of leasing or dealing with vehicles in fleets and in car rental companies. I know the

member for Cambridge is very, very concerned about the potential of unsafe vehicles on Ontario's highway system that have not been properly checked. I think he has gone to great detail and effort to present a resolution that deals with a very vital issue of consumer protection for the motoring public in Ontario.

I would like to commend the member for the hard work that he has put into this because it clearly demonstrates, for one member and the government as a whole, as a reality, that here is a specific member who looked at a situation, listened, consulted, and acted promptly.

I am very glad to announce that the Ministry of Transportation for the province of Ontario will, on or about December 31, 1997, the end of this year, proceed with changes to regulation 628, vehicle permits, that are made under the Highway Traffic Act so that all leased vehicles with more than 20,000 kilometres or more than 15 months of age will be required to undergo a safety check. The amendment will apply to the original lessee and to all subsequent lessees. Approval and implementation, as I said, will proceed on or about the end of this year.

Ontario will join with the other provinces, some of which still haven't undertaken this initiative, to ensure that we have a motoring situation, safe roads, with vehicles that were previously not checked because of the growing leasing industry in this province and throughout Canada, and also because regulation 628, as it's written, did not catch up to what is happening in the marketplace.

I think this particular initiative by the member for Cambridge, in combination with what will be happening at the end of this year by the Ministry of Transportation for Ontario, will fit nicely into ensuring that we have a more effective, safe motoring public and highway system in Ontario. I'm glad to join with all those members in supporting this particular resolution. I commend the member for Cambridge for the initiative that he has taken in this area.

Mr Gary L. Leadston (Kitchener-Wilmot): I am proud to stand this morning in support of this resolution that would recommend the amending of regulation 628 to require mandatory safety checks on used leased vehicles. My distinguished colleague from Cambridge has brought forward a resolution that I think makes a great deal of sense. The number of leased used vehicles is growing in Ontario and could represent a tremendous safety problem to our motoring public. In fact, there could be as many as a quarter of a million unsafe vehicles on the road at any given time.

There is really no reason why this regulation cannot be changed, seeing that there is support from the Ontario Automobile Dealer Association and the Used Car Dealers Association of Ontario. The rules vary widely across this country in respect to safety inspections, which should indicate that we should have some national standards.

The honourable member for Cambridge has a long history of finding solutions to problems such as this. He has put forward a resolution that is for the sole protection of motorists and pedestrians throughout all of Ontario. I urge

all members present to support this resolution to make our roads and highways an even safer place to drive.

Mr James J. Bradley (St Catharines): I simply want to briefly indicate my support for this resolution. There are times in this House when we have a consensus that builds on a particular subject, and this consensus is quite obvious on this particular resolution which is going to, I believe, enhance safety in our province, particularly on our highways. I'm very supportive of this resolution, as I'm sure will be my colleagues.

Mr Doug Galt (Northumberland): I'd like to respond to some of the comments that were made earlier by the member for Nickel Belt, criticizing some of our backbenchers about bringing in regulations and standing for getting rid of regulations.

I can assure him that we do stand for getting rid of useless and stupid regulations that are in place, some of those regulations that may have been a good idea in their time but that over the years have become outdated. Certainly those are the kind of regulations that this government wants to get rid of. I can also assure him that any in the Reform Party have very similar ideas about regulations that we have in place.

This one sounds like it would be a very good regulation. Leasing of cars is something that wasn't going on a few decades ago and has been occurring frequently in the last few years.

I would like to bring to the attention of the member across some of the ones that we are dealing with in environment as a good example of regulations that we are trying to get rid of. I give him an example like the regulation that their government worked with on pesticide containers. Pesticide containers under regulation are supposed to be buried; their government said they should be recycled. This is just an example of some of the regulations that are outdated and we're trying to change.

The objective of the regulations he was bringing forward had to do with ones that are obsolete and outdated and are a barrier to business, a barrier to industry, but this kind of regulation certainly isn't a barrier to industry. It's a regulation that's going to make driving on the highways safer, whether it's a car that you're leasing or whether it's one you're meeting on the highway that may have brakes that may fail or whatever problem might exist with that particular vehicle.

It's important for the member for Nickel Belt to be clear and to understand where this government is coming from, the regulations that we want to get rid of: those that are outdated, those that are obsolete, those that are useless, those that are cumbersome to business and to industry and to job creation in this province. It is indeed very important that we get rid of those regulations. I think basically, deep down inside, he agrees with those changes to the regulations.

Anyway, I can certainly support the member's private member's bill that is being brought forward this morning.

The Deputy Speaker: Further debate? If not, Mr Martiniuk.

Mr Martiniuk: I would like to thank all the members who have spoken in support of this bill. There is a problem with this regulation, and it's a problem that we can fix by passing this resolution. There are individuals who will be protected, both as consumers and as users of our roads, upon the amendment of this regulation.

The Deputy Speaker: The time allotted for the first ballot item has expired.

1050

PROVINCIAL DEBT

Mr Ted Arnott (Wellington): I move that in the opinion of this House, the government of Ontario should commit itself to a 25-year debt retirement plan, with five-year interim targets, such that the province of Ontario is free from its net debt by the year 2025.

The Deputy Speaker (Mr Gilles E. Morin): Pursuant to standing order 95(c)(i), the honourable member has 10 minutes for his presentation.

Mr Arnott: "We in Wellington understand the economic value of hard work and the social value of personal responsibility. From this understanding stems a serious concern when our government refuses to live within its means, when our government grows until it begins to inhibit overall economic growth, when even excessive taxation does not prevent the expansion of our government debt."

Those words ring as clear and as true today as when I first delivered them in my maiden speech in this chamber seven years ago. My intention then was to speak in support of a better future for our young people, the need to tackle our deficit and debt problems so that our children are not forced to pay for our years of overspending.

That is why I am proposing today that once the budget is balanced, the provincial government commit itself to a debt-retirement plan. This resolution again reads:

"That in the opinion of this House, the government of Ontario should commit itself to a 25-year debt retirement plan, with five-year interim targets, such that the province of Ontario is free from its net debt by the year 2025."

Let's examine the province's finances for a moment. The deficit or shortfall when this government took office in 1995 was \$11.3 billion. Through disciplined and decisive action, the government estimates that the provincial budget will be balanced by the year 2000-01. Once the budget is balanced, even though the government has made substantial and impressive progress in reducing the deficit, the accumulated debt will have risen to almost \$120 billion, according to the government's own projections.

The province is currently spending \$9 billion a year just to pay the interest costs on our outstanding debt, and \$9 billion is more than we spend on our schools in a year.

We didn't get into this debt problem overnight and we won't solve it overnight. All three parties during their terms in government over the years have contributed to this problem, although some more significantly than others. Ontario has run a deficit every year since 1970, with one exception. There was actually a modest surplus in the

year 1989-90. However, between 1985 and 1995 the growth in our debt skyrocketed, tripling in a period of 10 years.

I know that some people over the years have advocated in favour of deficit financing year after year, believing that this was the direction to go in order to provide the new services they believed the public were demanding. "Don't worry," they said, "it's only a debt we owe ourselves." However, this kind of thinking ignored the serious long-term consequences to our economy and the debt. Increasingly, as our deficits and debt grew, the province was forced to borrow from overseas lenders. These actions helped to drive up interest rates and had a negative impact on our economy. Jobs were disappearing and consumers were paying higher interest costs on their mortgages and on their personal borrowing.

My generation grew up in an era when deficits were not questioned. They were the norm and there were few people who questioned the conventional wisdom that contributed to government overspending and borrowing. Now people my age are having their own children. My wife and I have two little boys. As parents, we want the best for them, and like other parents, we worry about their future. We want to leave our children with a province that is as vital as it is today. Ideally, we as parents hope for better conditions for our children, better than we have enjoyed, more opportunities for jobs and personal fulfilment.

Protecting the integrity of our natural environment so that future generations have clean water, clean air and a safe environment requires commitment, political will and action. This same logic should be applied to our finances. I believe that the adoption of a formalized plan by the government to pay down the debt would create an expectation by the public and pressure on all future governments to manage the province's finances responsibly. To bestow upon today's children, when they become adults, an unsustainable debt and a serious decline in their standard of living is unacceptable and unconscionable. It is generational selfishness.

One of my constituents is in the public gallery today. His name is Michael McLellan. Michael, stand up. Michael is 13 years old. In the year 2025 Michael will be around 40 years old and he'll probably be entering into his best earning years. If the political will exists to do everything within reason to retire the debt by the year 2025, I believe Michael's taxes will be affordable and his generation will benefit from economic opportunities that are superior to today's conditions. That is my hope and my vision for Michael and others of his generation, including my own two sons.

This proposal on debt retirement is nothing novel and nothing new. The Alberta Legislature passed the Balanced Budget and Debt Retirement Act in 1995, which included a 25-year schedule for debt retirement. Manitoba also passed debt-retirement legislation last year. Recently media reports have suggested that Alberta is well ahead of schedule and is on track to having its debt eliminated by the year 2000. Imagine, debt-free in the new millennium.

The political will that exists in Alberta and Manitoba is not unique. I know there is broad public support in Ontario today for taking the bull by the horns and tackling our financial problems. A full two thirds, or 66%, of the people in Wellington who voted in the 1995 provincial election voted Conservative. I sincerely believe that the strength of that mandate was due to people's concerns about the state —

Mr James J. Bradley (St Catharines): It was just the local candidate.

Mr Arnott: No, not at all — of the province's finances. They wanted and still want a government that controls runaway spending and borrowing. When I went knocking on people's doors during the campaign, time and time again I was met with expressions of shock and disbelief when I talked about the size of our debt and the fact that it had tripled over a matter of 10 years.

Children understand and support action on the debt as well. When I can find the time, I often visit schools in Wellington to speak to students about public affairs and answer their questions. When I explain the provincial debt situation to students, their reaction is palpable. Their eyes widen and their jaws drop. They can't believe their parents' generation would hide their heads in the sand and allow the debt to grow as it has.

The great CCF, and later NDP, leader Tommy Douglas was a statesman in Canadian history who cared passionately for people. He was the father of medicare and he fought to establish social programs that we enjoy today. Yet he objected to the state incurring public debt. He felt it was a mistake when government racked up excessive debt and ended up paying high interest costs to bankers with the people's money. Tommy Douglas was right.

I want to point out several organizations that have expressed to me their support for a debt-retirement plan in Ontario. Brian Kelcey of the Canadian Taxpayers Federation writes:

"Mr Arnott deserves credit partly because his private member's resolution isn't revolutionary. Rather, it advances a tested concept. His anti-debt resolution is useful at a time when many pro-spending lobbyists are talking as though deficits were Canada's only fiscal problem."

Judith Andrew of the Canadian Federation of Independent Business writes:

"You will recall my writing to you in July 1997 to convey results of CFIB's Ontario Mandate Ballot #185. The results showed that 84% of our Ontario members favour the federal government continuing spending restraint to pay down the accumulated debt, once its annual budget deficit is eliminated. We would anticipate our members holding to the same principle in connection with the provincial fiscal situation. CFIB reiterates our pre-budget recommendation that the Ontario government follow the example of other jurisdictions and set out a tough but attainable plan for paying off the net debt."

Colin Brown of Ontarians for Responsible Government writes:

"I'd like to wholeheartedly endorse your private member's resolution which proposes that the provincial

government adopt a debt-retirement plan. Taxpayers need some assurance that the monstrous provincial debt problem will be addressed in a serious and timely way."

Peter Woolford of the Retail Council of Canada writes:

"The retail council strongly shares your concern about the size of the current Ontario debt. While the government has made significant progress in reducing the size of the current deficit, it simply is not sufficient to get the books to balance on an annual basis."

I'd like to conclude my introductory remarks this morning by saying that flexibility must be employed in the five-year targets I've suggested. In years of economic downturn it may not be possible to target resources towards the debt. However, in good times, in good years, in years of strong growth, we should be making progress towards reducing our debt. Common sense should prevail, of course, as the government undertakes the serious task of restoring sanity to our provincial finances.

I look forward to the participation of other members in this House on this important issue and ask for their support.

1100

Mr Bradley: I appreciate the member for Wellington bringing this issue before the Legislature. It is one which people in various jurisdictions are endeavouring to wrestle with at this time: That is, with the economy rebounding across the country and with the American economy very strong — the debate is the same there — how do we deal with the revenues that we should anticipate would increase with this rebounding economy?

The member has pointed out that he wishes to see a good deal of the dividend, if you can call it that, going to the retirement of the debt. Certainly, when we look at the accumulated debt we have at the present time in Ontario, everyone would like to see that debt reduced. There may be some question as to how quickly it can be reduced and eliminated, but the overall goal in the best of all worlds would be to eliminate that debt.

We have to be careful that we have the flexibility the member talked about, because if you're very rigid it means that during times of deep recession you're going to see a drastic loss in revenue and some increases in expenditures. A good example, the most recent example, was the recession we experienced during the years of the NDP government. They were unfortunate or unlucky enough to come into office and experience a recession after we had had an economic boom in the province for about five or six years. It meant that the expenditures were going to increase; it meant that the revenues were going to drop off drastically. The government, in those circumstances, is faced with difficult decisions. Whether you simply abandon those who are most vulnerable during that period of recession to deal entirely with the deficit, or whether you try to balance it, you try to provide a safety net while at the same time not allowing the deficit to go too high.

The last balanced budget we had in Ontario was the 1989 budget of Robert Nixon. You'll remember that in 1990 there was another projected surplus that would be brought about as well. The economy changed throughout

the country. Every province changed its projections; the federal government and the private sector all changed their projections. As a result the Treasurer, Floyd Laughren, who was in the House that afternoon, was faced with a very difficult challenge. With revenues dropping drastically, with the economy beginning to falter considerably, he had a very difficult decision to make. I'm sure he got all kinds of advice on what he should and shouldn't do, and was faced with the challenge throughout the early 1990s of dealing with a deep recession.

The best thing to overcome a deficit and the best thing to have to reduce debt is a strong economy. All of us in this House, regardless of what political party we're involved with, want to see a strong economy, first of all nationally, and second, and more important to us on a personal basis, in the province of Ontario. If we can build a strong economy, then the revenues are going to come in and some of the expenditures that are needed in very difficult times are not needed to the same degree. We'll all work towards that strong economy.

The Alberta example is used. I don't think it's as applicable to Ontario as we would like to think. Alberta has oil in the ground. I suggest to members of this House, if we had oil revenues of the kind they had there, where they have a heritage fund — that meant they didn't have to borrow as much, if at all, on the regular market. They have the heritage fund to cushion them. Those oil revenues are very good for the province of Alberta. We have some oil revenues here. I think in Petrolia we have a very small amount of oil, but it sure helps to have the oil revenues Alberta had. It's not always a good analogy to use Alberta as the comparison, though there are some things which are the same.

One of the policy pronouncements the member for Wellington, Ted Arnott — not too loudly — expressed in the early days was his apprehension about an income tax cut before the budget was balanced. He and a few other members of the caucus expressed that view. The reason there was apprehension about it was that first of all it meant the government had to borrow money. It was losing revenues. As soon as the government cuts its taxes, it loses revenues. They would have to borrow that money to finance a tax cut. That meant, of course, that the provincial debt would continue to rise unnecessarily.

If the government said, "Once the budget is balanced we're going to have this tax cut," then I think more of the small-c conservative observers would have felt less angst about this. I remember the member himself was expressing — he can't do it too loudly, but certainly within certain circles — his concern about cutting taxes before the deficit is eliminated. Once it's eliminated, of course, those choices become more available.

The government has been fortunate in receiving some revenues, but they've come to a very large extent from gambling revenues. I think members in this province know my particular concern about governments all over the country and all over North America and the world relying on gambling revenues.

Gambling preys upon the most vulnerable people in our society: those who are addicted to gambling and those who are desperate. They are people who, for instance, don't have the connections in the upper echelons of society to get the good jobs, to get ahead, to get the advantages that might be out there. They often are people who have been unable to afford considerable post-secondary education or may have had to leave school earlier in secondary school because of economic circumstances at home. People who are in desperate straits financially tend to be the kinds of people who will take more of a chance to win that jackpot to bring themselves up to others in society in an economic sense.

We see those revenues coming in, and I know governments of all stripes welcome those kinds of revenues. I would suggest that they're not particularly — I call it blood money. I don't think they're the same as the kinds of revenues that are levied through taxes, where everybody can see where they are and they take into account a person's ability to pay.

Right now we're fortunate that the economy is picking up. I know that many of the ministers of this government blame the federal government for everything. I suppose they're going to blame the federal government now for the booming economy across this country. I didn't hear much talk of a booming economy during the federal election campaign, but immediately after it was finished, suddenly the economy is booming. It makes me a little bit suspicious that there were some who did not want to put that information out at that time.

Be that as it may, as the lawyers say — I'm not a lawyer — it is a circumstance we face and we are pleased to see that happening, though there are many people in our society who are adversely impacted by the present circumstances we face.

I say to the member that I think there should be a dedication of a certain amount of money available to the reduction of the debt in the province. That should be one of the components of an economy which returns to a robust economy, as we all hope we will see a completely robust economy. That should be the dividend that is paid. There are many ways of doing it. We can invest in people and programs, for one thing; we can give some tax cuts, if that's what the government wants to do, on a selective basis to directly help those who are most in need; or third, we can pay down the debt. Probably a combination of the three is what most people in this province would like to see.

I want to ensure that my colleague from Yorkview has an opportunity to express his views on this important issue. Therefore, I will now terminate my remarks and say that I'm pleased we're having this discussion in the House today.

Mr Floyd Laughren (Nickel Belt): I rise with some trepidation, realizing that when it comes to debt and deficit, I could be regarded as somewhat of a lightning-rod, so I'll be circumspect in my remarks.

I first of all welcome the Arnott family to the Legislature this morning — Ted's wife, mother and two young

boys — and commend the member for Wellington for bringing this resolution to the House this morning. I must say, though, that when Mr Arnott introduced Michael, who looked to be about 12 years old — I'm not sure — he failed to remark that if you are obsessed with deficit and debt reduction, it's the Michaels of this world who will be most hurt as you ratchet down your commitment to the education system. That's what we see happening in this government now.

1110

While I have no problem with setting goals and I like the flexibility in the resolution from the member for Wellington, if you do it, if you get obsessed by that and you achieve that goal by reducing the quality of education or the quality of health care — and that's the perception in this province today, that this government is obsessed with its tax cut and must reduce the quality of health care and reduce the quality of education in order to achieve that tax cut and at the same time balance their budget by the year 2000-01. I believe that's the year they intend to balance their budget.

I'm always a little edgy or sceptical about people who think there's something simple about this whole process of ratcheting down the deficit and the debt. I must say I very much appreciated the remarks from the member for St Catharines, who I thought took a very fairminded approach in his realization that sometimes things don't work out the way you want them to, that you can get into a severe recession and then you have some really difficult choices, because at the end of the day the people at the top of the heap will always be able to get themselves through a recession, but it's the people at the bottom, who are most vulnerable, who will suffer the most if you are obsessed with deficit reduction and forget about the people who most need the help of government.

I know that Tories tend not to have the view of government helping people. Rather, their view is that government must get out of the way of people. I understand that difference in opinion between me and people in the Tory party, but I would simply say that at some point you have to stop and think about people who are really vulnerable and not allow an obsession with anything such as a tax cut, deficit reduction or a debt reduction to get in the way of your obligation to protect those people.

I want to hear the rest of the debate. I'll probably end up supporting this resolution because of its flexibility. I think the member for Wellington is fairminded and is not obsessed with achieving debt reduction through arbitrary and draconian measures. He has expressed that, as a matter of fact, probably — or potentially — at some risk to his own political career, but only events as they unfold will tell us that. At the end of the day, I'll probably end up supporting this resolution partly because the member for Wellington comes to this place with a view that's not as theological as those his Reform-minded caucus colleagues so often have, as I stand here in my place and look some of them directly in the eye. So I will sit down and allow my colleagues to have some more time to speak.

Ms Isabel Bassett (St Andrew-St Patrick): I'm pleased to have this opportunity today to speak on the debt reduction resolution by my friend and colleague the member for Wellington. I'd like to reiterate the remarks of the former Minister of Finance and welcome the member's mother and his two children, who have just left, one of whom is just a new baby, and his wife to the gallery to watch him present his resolution.

This government supports, I want to stress, the spirit of the member for Wellington's resolution: to retire Ontario's deficit. We also believe that it's necessary for governments to create plans to pay off debt. However, this government feels that our primary goal has to be, and is, to eliminate the deficit by the fiscal year of 2000-01 and that it is premature now to focus on retiring the debt until this goal has been achieved.

On another point, this government believes that the member for Wellington's resolution, which states, "The government...should commit itself to a 25-year debt retirement plan, with five-year interim targets, such that the province of Ontario is free from its net debt by the year 2025," is too restrictive and might prohibit governments from carrying out their very role in certain circumstances.

We made the commitment in the Common Sense Revolution to introduce "A realistic plan for wiping out the deficit and tackling our debt to stabilize our economy." In his 1997 budget, the Minister of Finance, the Honourable Ernie Eves, said, "Once the budget is balanced, we will put in place a program to cut that debt to ensure that our children will have the opportunities they deserve."

There is no question that since this government took office in 1995, we have remained committed to keeping our promise of working to reduce and eliminate the deficit. When we took office two years ago, the government inherited an unhealthy fiscal situation, to put it mildly. The province's deficit was a whopping \$11.3 billion, and Ontario's debt had climbed and passed, in fact, the \$100-billion mark, which meant that 20 cents out of every tax dollar was going to pay interest on our debt. We recognized that this was utterly unsustainable.

This government took swift action to restore the fiscal and economic health of the province. In the fall of 1995, we introduced a balanced budget plan designed to erase Ontario's deficit by the fiscal year of 2000-01. It wasn't easy. After spending over \$11 billion a year more than we were taking in, we had not only to cut back on spending but to look at delivering programs and services differently.

Today, as promised, the government is on track to balance our budget by 2000-01. But we are still facing a whopping \$6-billion deficit, and we recognize that we must remain vigilant in ensuring that our balanced budget plan deficit targets are met.

Our government's view in opposing my friend the member for Wellington's resolution is that we believe we must remain utterly focused on ensuring that the deficit is eliminated and that the budget is balanced before we divert our energy to considering the specifics of a plan for reducing the debt. We have to stress and keep that in focus every single minute. I want to remind you again, however,

that as Finance Minister Eves pointed out in his 1997 budget, "Once the budget is balanced, we will put in place a program to cut that debt."

Another reason this government is opposed to locking ourselves into a detailed plan to retire the debt by 2025, as the member for Wellington proposes, is that we want to reserve the flexibility to act as a government should and indeed must in extreme cases involving unforeseen circumstances or acts of God.

In closing, this government supports the spirit of the member for Wellington's resolution to retire the province's debt, but we do not believe that our focus today should be diverted while we are carrying such a large deficit, as we are already doing. We feel also that the specific time frame of the member's resolution is too binding for future governments to adhere to their promises.

That said, I would like to thank my friend and colleague the member for Wellington for bringing forward this important resolution. We promise Ontarians that we would introduce a plan to eliminate the deficit and retire the debt, and we're on track to reaching that goal.

1120

Mr Mario Sergio (Yorkview): I'd like to add to the debate as well. First I would like to compliment the member for Wellington for introducing this resolution. I think it is another one of those motherhood resolutions that when it's exposed to the public, again they're going to say: "Oh, sure, great idea. Let's do it." I think we should look towards reaching that particular goal and indeed retire our debt and balance the books as well.

I should say, in the five minutes I have, that in 1989 or so, around that particular time, the Liberals balanced the books. We had a surplus, I should say with pride, without cutting any social programs or cutting the health care system or cutting education or otherwise. We did it.

I think the gesture is very noble, something that we as members of the House should subscribe to. I think it is something the public would like government to look at and accomplish in due course. But if we are looking seriously at the whole issue, it's not as simple to accomplish as we individuals would like. We have to be very realistic. We are talking of finding over \$5 billion a year if we are serious about retiring our debt, without adding any more to it, but that doesn't seem to be the case.

The Premier should take the content of the resolution to heart and, as we have suggested many times in this House, abandon the promise he has made of refunding a 30% tax cut to the wealthy and not the needy. That is not needed. If you ask anyone, they will say: "Put it towards retiring the debt or balancing the books. We don't need that 30%." I think that's something that we, as government, as legislators, should be looking at. I'm sure the member will continue to impress upon his own government to take those measures.

I don't have to tell you that very often events happen that are beyond our own control, either because of other levels of government or because of the economic situation, which change the income of the provincial government and thus throw our plans and aims out of whack. We will

have to seriously consider, if we embark on something like that, when times are tough, are we going to provide bread on the table to many unemployed people or are we going to continue to chop an extra \$1 billion?

I don't have to tell you the consequences of this present government. What is it going to do to our provincial debt? It's going to add an extra \$25 billion, \$28 billion from its present state.

While I admire and congratulate the member, I hope he himself, together with other members, will impress upon the Premier and say, "If we want to be serious and assist our people without cutting programs, without continuously affecting the most needy in our society, we'll look at a situation like this very seriously." Unless we do that, I have to say again to the member, to Mike and to the younger members of the Arnott family, that 25 or 30 years from now we won't have a health care system for those people. We won't have an education system as we know it today. We won't have programs for our young people to go and meet the challenges of the world. We won't have those programs to provide skilled jobs. They won't be able to afford to enter colleges or universities. Where do we draw the line?

I think it's a very noble gesture to say, "We have to retire the debt and we have to balance our books," but then we have to also ask, at whose expense? I like the flexibility I see in there when we say, "Sure, it's something we have to look at," but we also have to look at the consequences of various actions: either a worldwide recession or the economic situation within our own nation, within our own province, and assess that situation at the time. Governments are here for a very particular reason: To govern on behalf of the people, especially those who cannot look after themselves. If we were so blind that we were to say, "Let's retire our deficit and debt at any cost," I think it would be a terrible flaw in any government, this one or a future government.

I will be supporting the bill because I think the principle is a sound one. It's something we can subscribe to as present and future governments. I hope we do that, keeping in mind the flexibility that the world changes on a daily basis.

Mr Wayne Lessard (Windsor-Riverside): I just want to take a few minutes to add my comments to the resolution from the member for Wellington. The member for Wellington has represented his area competently and diligently. He's known as a hard worker in his riding. I know that, based on my experience here, working with him between the years 1990 and 1995. That's why I was somewhat surprised after the 1995 election that the member for Wellington didn't make it into cabinet. However, we know there are going to be some changes made in the next few months and that's something that may change. His spouse is here with him today. I don't know what she thinks about that. Maybe we could put the member for Wellington into a position where he may have some power and influence and be able to implement some of the suggestions he's had, like the one he's put forward here today.

When I look at this resolution we have before us, it makes me wonder how we got ourselves into this position. It makes me wonder how Bill Davis could have moved us so far down this road. I suspect that one of the reasons — if we consider ourselves, for example, how many of us have never had a mortgage? How many of us have never gone into debt so we could buy a house for our family and for ourselves for shelter? The reality is that on occasion governments are forced to borrow money. They do that because there's a long-term payback for many of the things governments go into debt for.

As the former Treasurer, the member for Nickel Belt, has indicated, he may be supporting the resolution today. I may support it myself, because I see there is some flexibility within this plan. It's a 25-year plan. It mentions interim targets that need to be met as well. It isn't as binding as the resolution we had before us a couple of weeks ago that was introduced by — I don't remember the member's name, but it had hard and fast rules. It said you have to have a balanced budget or else you need to call an election. Those are the sorts of resolutions I couldn't support, that bind the hands of future governments and really take away the ability of governments to make those decisions themselves. This one isn't quite as restrictive as that.

The only concern I have about this resolution, however, is the fact that this debt retirement plan begins in the year 2000. The whole premise this plan would be based on is eliminating the deficit by the year 2000. We need to consider how this government is going to reach that point of actually balancing its budget.

As was said earlier by the member for St Catharines, one of the best ways to reduce the deficit is through a strong economy. Right now we're blessed by the fact that we do have a strong and productive economy, but to have a strong economy you also need an infrastructure to support that growing economy. You need improved road and transportation systems. You need an education system that is going to provide people who will turn into a well-qualified workforce to fill the jobs that the growing economy is going to create. You need to have a health care system that is going to provide quality health services at a price that isn't unaffordable for those who may need to access it.

From the Windsor area that I represent, we see the example right across the border in Detroit. We have a big advantage when it comes to the production of automobiles and parts, and that's largely because of two factors: one is the difference in the value of the Canadian versus the American dollar; the other is the advantage we have over the cost of production, and that is because of the health care system we have. In the United States they have to pay additional for that health care coverage and it makes them uncompetitive. I wouldn't want to see us go down that road.

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We also need a clean environment so that people will want to live and work and participate in our economy.

Sometimes in order to have that infrastructure and have those systems, there needs to be an investment by the

government. Not only is the deficit we have measured in dollar amounts, but we have a deficit that can be measured when it comes to health care, when it comes to education and when it comes to job creation, and that's a deficit we need to keep in mind as well.

Governments often find that they need to borrow money. One of the reasons this government is borrowing money right now is to fund its tax cut. This is an approach that was attempted by Ronald Reagan back in the 1980s. What was found when he introduced his tax cut was that the debt actually went up. This is a concern I have, that by implementing this tax cut we're not only putting a cap on social spending to do that, but in effect we're actually increasing the debt. I know that is something the member for Wellington doesn't want to see happen.

I share some of the concerns that have been mentioned as well by the member for Yorkview. When we're considering eliminating the debt, who is going to benefit from that and who is going to pay? As governments, we always have to be conscious of that and maintain a reasonable balance.

The Acting Speaker (Ms Marilyn Churley): Further debate? The member for Wentworth —

Mr Toni Skarica (Wentworth North): Wentworth North. It has been some time.

The Acting Speaker: Thank you. It has been.

Mr Skarica: My friend from Wellington asked me to speak. I agreed to do so because I respect him as an individual and I find him one of the finest human beings I've met in politics.

The resolution, I suggest, is based on common sense. The resolution indicates that governments should retire their debts. I analogize it to a family. If you're in a family and you plunge your family into debt, a number of things happen, such as the following: You don't sleep at night because you're wondering how you're going to pay the interest that's coming due. If your children want a certain something, a bike or a trifle that they fall in love with, you can't do it because you're now a slave to your debt.

In fact, a prominent book written many thousands of years said that the borrower is a slave to the lender. When the socialists were plunging us into debt in the last five years, what they were really doing was eroding our freedoms and making us slaves to the bankers. I think they would agree that that's not a good position to be in.

This is not a new principle, that if you plunge yourself into debt, eventually you have no freedoms. Thomas Jefferson, who I respect and admire, said 200 years ago that when a government plunges itself into debt, has to pay interest payments, eventually what happens is that it erodes the freedoms of its citizens. Not only does it erode the freedom of its citizens because it makes the citizens slaves to the bankers or whoever holds the debt; it also means it's not able to look after the citizenry. We've heard that a number of social programs have to be maintained to help those who are less fortunate than ourselves. If the government plunges itself into huge debt, like we have — we're at \$100 billion right now, and we're paying \$8 billion or \$9 billion in interest — what eventually

happens is that you can't help out those people who are poor and disadvantaged.

I was doing the Roy Green show yesterday, and I noted that the education budget is some \$12 billion. If we had that \$8 billion or \$9 billion that we pay in interest payments, just imagine what kind of education system we would have. We could spend \$20 billion. We wouldn't have books in the system that are 20 or 30 years old. In fact, there were books I had read. One of the students said he thought he saw my name in one. The only good thing about that is that somebody knows my name.

The member for Windsor-Riverside says that sometimes governments are forced to borrow money. No one is forced to borrow money. You choose to borrow money. We have chosen not well in the past, I suggest. When you're carrying a \$100-billion debt, what you've really done is that you've mortgaged the future. You've been selfish. You've said: "I want to live a certain lifestyle right now, and I'll let the future pay for that."

To indicate a real-life example that illustrates that, the Hamilton board of education has a \$30-million unfunded liability for teachers' gratuity. I'm not going to make any comment as to whether that's good or bad, the teachers' gratuity. But what I found alarming about that \$30-million retirement gratuity was that I said to one of the trustees who was there in the 1970s: "You have a \$30-million gratuity and you have no money in the bank to pay for that. That means that when a teacher retires, they have to pay \$32,000 of taxpayers' money that's supposed to go in the classroom today." I asked this gentleman, "How come you put no money in the bank?" He said: "That wasn't our problem. By the time it had to be paid, we wouldn't be in power, so we didn't worry about it." That's the kind of reckless non-thinking that got us into this situation.

A family that functions well and lives reasonably and has a prosperous lifestyle is guided by the philosophy that you will spend no more money than you receive. In fact, most families that do well over time spend a little less money than they receive and save money for the future. I do not see why governments cannot do the same thing.

In fact, Ontario seems to be behind the times in this regard. In the United States, all the states except Vermont already have this type of legislation and have balanced-budget legislation. Four of the provinces and two of the territories have balanced-budget legislation. Basically, they will refuse to spend more than they take in.

I suggest that if you do spend more than you take in and you do get huge debts, what you lose is not your social programs, although you do lose those, but you lose your liberty and your freedom because you are a slave to other people. You are not free to make decisions. You're not free to help those who are less advantaged than yourself. Ultimately, what you are doing by spending more than you have over time is that you are selling the freedoms and the democratic rights of the individuals you are supposedly governing.

I applaud the member for this motion. I said I would speak for five minutes. It appears that I'm lying, because

it's been about six minutes, so I apologize. I fully support this motion.

Mr Steve Gilchrist (Scarborough East): It's indeed my pleasure to rise in support of this resolution. I think it is both timely and extremely important that we remind people of one of the underpinnings of the Common Sense Revolution and in fact one of the underpinnings of any responsible government.

In our personal lives, in our business affairs, of course we understand that you cannot spend more than you take in. It's called bankruptcy. At the government level, somehow we went off the rails. In the past, somehow they took on a mindset that it was appropriate to overspend. It was appropriate to mortgage the future. We don't believe that's correct. We believe it's more appropriate to chart a path back to fiscal responsibility.

We're very proud of the fact that one of our very strong commitments in the Common Sense Revolution was a balanced-budget plan. Just to remind everyone, we had committed that even though we were inheriting a debt load of \$100 billion and an annual loss of over \$11 billion a year, we knew the inherent strengths of the province of Ontario, the inherent willingness of our entrepreneurs to invest and all the employees to work hard and contribute to the rebuilding of this province. We knew that in one term we could turn that around and bring the province back to a balanced budget.

I'm very pleased, as we debate here today, to report that we're actually billions of dollars ahead of our own very aggressive forecasts laid out back in 1994 in the Common Sense Revolution. It's not only appropriate to suggest that the year 2000 will see a balanced budget; I think there's even a chance it may be sooner than that. Obviously, to those who wrestle with the challenges and look at the legislative changes we've brought forward, there's always a need to keep it in the context of what's best not just for ourselves but for the generations to follow.

Surely we don't want to be known as the one generation in Ontario that left our successors with less than we inherited. This plan and this resolution speaks very much to our commitment to making sure the generations to follow will have a strong and vibrant Ontario and they will have all the same benefits in the health care system, in the education system, in roads and all the other services that we enjoyed and our parents enjoyed.

I would like to leave a few seconds for my colleague from Niagara Falls, but I just wanted to register my heartfelt and sincere support for this resolution. I congratulate the member for bringing it forward today.

Mr Bart Maves (Niagara Falls): I want to congratulate the member for this resolution, because the resolution has served to reorient all of us about motive. When we took office, we had a deficit of \$12 billion. We're reducing that every year, but every year that we have an annual deficit, that gets added to our debt. That means we have more interest to pay.

As Mr Skarica said, we've lost the freedom. Where we spent \$8.9 billion in interest when we got into office, now,

despite all the expenditure reductions we're making, we have \$9.2 billion to spend on interest. It erodes our freedom to spend that money on other programs.

I thank the member for Wellington for the resolution.

The Acting Speaker: Further debate? Seeing none, the member for Wellington, you have two minutes to sum up.

Mr Arnott: I want to thank my colleagues in the House who have spoken to this resolution this morning. I particularly want to thank my friend and colleague the member for St Andrew-St Patrick for the excellent speech she's given and the support in principle to many of the things I'm putting forward today.

Thank you very much to the member for Wentworth North. I must say I admire his courage and his integrity and the way he does his job on behalf of his constituents.

I thank the member for Scarborough East, who was eloquent as always, for the commitment he shows to the principles we put forward in our election campaign, and also the member for Niagara Falls for the short speech he gave and the outstanding contribution he made to the debate.

Thank you to the member for St Catharines, the member for Nickel Belt, the member for Downsview and the member for Windsor-Walkerville also for the points they made. I appreciate it.

Interjection.

Mr Arnott: Did I miss one? Thank you to the Durham caucus, who are here in force, hopefully to support this idea.

There are two points I want to make in response to some of the points that have been made in the course of this debate this morning. First of all, tax cuts. The Premier promised to cut taxes. He delivered on those tax cuts. The majority in this House support tax cuts. I think it's fair to also point out that the Liberal caucus, during their election campaign, talked about a 5% tax cut that was somewhat vague and unspecified, but certainly supported the principle of tax cuts while the deficit was being reduced.

I think it's also fair to point out that the New Democrats, in their election campaign, in their manifesto, promised to balance the operating budget, as they called it, in a three-year time period. So I think there is a general consensus within this House that some of the ideas that I've put forward in this resolution are good ones.

Also with respect to the issue of a possible temporary downturn, of course we know that over a 25-year period there's a very good chance of maybe even two or three recessions, but I had hoped to offer the kind of flexibility within my resolution that wouldn't bind the government to, say, setting aside a specific dollar figure every year, so that in good years we could pay down debt; in tough years we might still have to borrow.

Thank you very much to all members for their participation on this issue.

The Acting Speaker: Pursuant to standing order 95(e), I cannot put the questions until 12 o'clock. Therefore, I will now suspend the proceedings until 12 o'clock.

The House recessed from 1143 to 1200.

VEHICLE SAFETY

The Acting Speaker (Ms Marilyn Churley): We will deal first with ballot item number 103, standing in the name of Mr Martiniuk. Mr Martiniuk has moved private member's resolution number 74. Is it the pleasure of the House that the motion carry? Carried.

PROVINCIAL DEBT

The Acting Speaker (Ms Marilyn Churley): We will now deal with ballot item number 104, standing in the name of Mr Arnott. Mr Arnott has moved private member's resolution number 72. Is it the pleasure of the House that motion carry? Carried.

All matters relating to private members' public business having been completed, I do now leave the chair and the House will resume at 1:30 of the clock this afternoon.

The house recessed from 1201 to 1332.

MEMBERS' STATEMENTS

COUNTY PARK

Mr Michael Gravelle (Port Arthur): I rise today in the Legislature to bring well-deserved attention to a very special group of people in my home town of Thunder Bay. At a ceremony held this morning at Our Lady of Charity school in Thunder Bay, the County Park community was recognized by the Trillium Foundation as the recipient of their prestigious Caring Communities Award. From more than 160 nominations across the province, this County Park community was chosen as one of five winners who will receive a \$20,000 grant for further community development.

In a few short years the residents have developed the neighbourhood of County Park into a community of which members are proud and which people want to join. The local community policing officer, Constable Collin Parkinson, Our Lady of Charity neighbourhood school, the community at large and the Our Kids Count organization have all worked together to sponsor an impressive array of meaningful activities, from an annual neighbourhood cleanup day involving hundreds of volunteers, to a community garden and kitchen, sports programs, volunteer street patrols, prenatal and parenting groups and much more.

The residents of County Park have been exemplary in their remarkably successful effort to work together to solve problems and enhance the quality of life for all who live in the community. I acknowledge, admire and applaud the County Park community's creativity, resourcefulness, determination and selfless dedication of time, talents and energy.

The County Park community is a superb illustration of the wonderful things that can happen when hearts and

hands work together. Congratulations, County Park residents — perfect examples of people helping people.

TVONTARIO

Mr Floyd Laughren (Nickel Belt): Yesterday the government announced the next step in privatizing TVOntario: a series of public consultations. The government claims they want to hear from the public, yet the minister made no statement in the House, and consultations will occur in only five cities. Actions speak louder than words, and this government is not listening to people. The review of TVOntario does not reach out to the public.

I'm particularly disappointed in the lack of effort to hear from the francophone and native communities. You have released no details about the extent of the consultations, not even who will be invited to the meetings. TVOntario is an invaluable part of these communities, providing a cultural link and valuable educational service. Your consultation schedule relegates these communities to a sideshow.

People living in remote parts of northern Ontario want to be heard, but your actions prove again that you're not listening. Your one francophone community meeting will be in Ottawa, yet TFO is particularly special to the francophone community because it serves francophones all across the province. How will your hearings consult with francophones outside of Ottawa?

You say you're consulting with TVO's advisory councils, but I understand that those meetings were postponed and have not yet been rescheduled. You're not listening. Don't sell off TVO for the sake of privatization and just to give Rob Sampson and Paul Currie something to do. It's not worth it. Listen to the people.

TEEN RANCH

Mr David Tilson (Dufferin-Peel): It gives me great pleasure to acknowledge the 30th anniversary of Teen Ranch, located in my riding of Dufferin-Peel. Teen Ranch is a 150-acre facility located in the beautiful hills of Caledon. Campers are given the opportunity to try their hand at both English and Western horseback riding, hockey at the Ice Corral taught by volunteer NHL instructors, tennis, golf or adventure camping as well as volleyball, basketball, swimming and much more.

Teen Ranch is a charitable organization. Kids from schools and church groups come from all over Canada. The excellent reputation of camp director Mel Stevens and his staff has meant campers from around the world come for the unforgettable experience of staying at Teen Ranch.

Teen Ranch recently expanded their facilities by building an Olympic-size arena that can seat approximately 1,000 people. The Ice Corral has already played host to the Toronto Maple Leafs during past training camps.

As unique and spectacular as the facilities are, Teen Ranch is much more than buildings and beautiful scenery. I cannot emphasize enough what an important role Teen

Ranch has played to countless families. Mel Stevens has been able to bring together an incredible group of staff that leave campers and visitors with a very special remembrance of their time spent at Teen Ranch.

On behalf of the government of Ontario, it is my pleasure to congratulate Teen Ranch on its 30th anniversary. I wish Mel Stevens and all the people at Teen Ranch all the best and continued success in the coming years.

LAYOFFS

Ms Annamarie Castrilli (Downsview): Today I rise in the House to illustrate yet another example of the government's failed job strategy. Bombardier's de Havilland plant is the largest employer in my riding of Downsview. Since Bombardier purchased de Havilland in 1992, the number of people working at this plant has risen from 2,700 to 5,600 currently.

The de Havilland plant is an integral part of Bombardier's aerospace operations in North America. Currently, the de Havilland plant is responsible for designing and producing the wing for the newly certified Lear Jet 45 business aircraft and final assembly of the world-renowned Global Express ultralarge business jet. In addition, the Dash-8 aircraft, which is also built in Downsview, will soon reach its milestone 500th delivery as it continues to lead the industry in hours of service and dispatch reliability.

Despite these great accomplishments, however, Bombardier Aerospace has announced that it will lay off 450 people at de Havilland. In addition, Bombardier has announced that it will hire 600 people to work in their operations in Montreal. Indeed, the company says it needs workers in all areas, including engineering, flight instruction, marketing and public relations.

The government has prided itself in creating jobs in this province, but here is an example of its failed job strategy. The government has ignored an opportunity to preserve jobs in Ontario. Where is the leadership on this matter?

BIRCHWOOD TERRACE NURSING HOME

Mr Gilles Pouliot (Lake Nipigon): The board of directors of the Thunder Bay District Homes for the Aged — in the riding I represent, that of Lake Nipigon, Homes for the Aged is located in the township of Terrace Bay — has decided it will close December 31, 1998. The local council does not support the decision made by other people, those of Thunder Bay. Effective January 1, the residents will be asked physically to move from Terrace Bay 120 miles to Thunder Bay.

We've requested that the Ministry of Health place this issue, because of its human dimension, as a top priority. Originally, the Homes for the Aged in Terrace Bay was sold by Kimberly-Clark, which is the larger employer, for \$1. Now the council is asking for the same partnership with the Ministry of Health and wishes to purchase the facility for \$1.

What's behind it is that people who were born and raised in northwestern Ontario, in our special part of Ontario, have the right to be given the dignity to stay home, not to move 120 miles away against their will.

1340

LEUKAEMIA AWARENESS MONTH

Mr Wayne Wettlaufer (Kitchener): I rise today to advise the House that October 15 is Leukaemia Awareness Day. On that day, research scientists and clinicians from Ontario's foremost cancer institutes will be uniting, together with cancer patients and patient advocates, at Toronto's Princess Margaret Hospital to speak of the need for research into leukaemia.

October 15 also marks the one-year anniversary of the date that Christine Ichim, who is in the west gallery here, a young woman from my Kitchener riding, successfully completed her national roller-blading trek across Canada to raise money for leukaemia research and to give hope to her mother, who suffers from leukaemia. Christine's life experiences with the disease and her determination are well expressed in her own words when she stated: "Since I was 10, I had to live with the fear that any day I could walk home from school and find my mother dead.... I can't let my mother die; I can't let other children go through what I did."

On October 15, leukaemia patients, survivors and family members of those who suffer or have died from leukaemia will share their experiences. Former Premier Bob Rae, who is the national spokesman for the Leukaemia Research Fund and whose brother died of leukaemia, has confirmed his participation.

EDUCATION REFORM

Mr David Caplan (Orlino): I rise today because I appreciate the opportunity to be here on National Students' Day. I'd like to pose a couple of questions for the Minister of Education.

First, I'd like to know how the minister would explain to parents how his Bill 160 will lead to greater input for them into future changes in the education system. Your bill will allow you to go to cabinet, get any changes you want passed, and then make an announcement. You don't have to talk to anyone. You don't have to listen to the boards of education, you don't have to consult with this Legislature, and you certainly do not have to listen to parents.

You said that the goal of your bill is to provide "education at a cheaper price." Doesn't this really mean that your goal is to give yourself the ability to take a further \$1 billion out of the educational system? Parents have been clear. This is not what they want now and this is not what they want in the future.

I also wonder how you'll be able to say to thousands of concerned students in our province that your cuts and your plans to cut teachers will not affect their education.

You said in a meeting last March that your vision is to have your ministry combined with that of economic development, to have students access their curriculum through their own personal computers and to have self-guided lesson plans. That doesn't sound like a plan for keeping teachers and kids in our classrooms. It sounds like a further confirmation of your plans to cut costs without thinking of who you'll really be hurting.

Students are telling you they want —

The Speaker (Hon Chris Stockwell): Thank you.

MUNICIPAL RESTRUCTURING

Mr David Christopherson (Hamilton Centre): Now that the Minister of Municipal Affairs and Housing has released his numbers, he sits in this place thinking that he's finally solved all the problems. The reality is, he's just confirmed that these problems are getting worse.

In my home town of Hamilton and in our region of Hamilton-Wentworth, we're looking at almost \$70 million being downloaded on to our region and \$55 million being downloaded on to Hamilton city council.

Here's what Chairman Cooke had to say in the Hamilton Spectator about these announced numbers: "I think the province has really underestimated the carnage and political fallout that's possible from this."

Mayor Morrow says: "This plan does nothing to promote the liveability of our cities and it has to be protested until it is changed. It's ridiculous as it is."

The fact of the matter is, Minister, that while you're downloading all these figures — and we know that your intent with Bill 136 was to pay all these costs on the backs of our public sector workers, which you've been forced to back away from — this means either we're going to have cuts in services or tax hikes in the neighbourhood of \$275 at both levels of government, totally unacceptable.

This is happening at the same time your health restructuring commission is looking at closing one or two hospitals in Hamilton. We've got \$1 billion in total taken out of education, and Hamilton has had its hit. You want another \$1 billion there. At the same time, we're losing decent-paying jobs.

Minister, stop destroying our communities.

REMEMBRANCE DAY

Mr John Hastings (Etobicoke-Rexdale): Since this House will be adjourned for approximately five weeks, I would like to take this opportunity to express my deepest gratitude to the brave men and women who defended this great nation, Canada, in times of war.

Remembrance Day is a special time to reflect upon and pay tribute to those men and women who served their country with dignity and who sacrificed bravely to keep this nation free and strong. We will never forget those who sacrificed of themselves to protect our nation and to protect our way of life.

I think everyone in this assembly agrees with the sentiment that is engraved on the cenotaph at the Royal Cana-

dian Legion's Coronation Branch 286 in my riding of Etobicoke-Rexdale, which reads: "At the going down of the sun and in the morning we will remember them."

ROSAMOND AUSTIN

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): Mr Speaker, I seek unanimous consent to pay tribute to a long-standing employee of the Legislative Assembly here, Rosamond Austin.

The Speaker (Hon Chris Stockwell): Agreed.

Hon Mr Villeneuve: I rise on behalf of the government to express our sincere condolences to the family and friends of Rosamond Austin, whose untimely passing is deeply mourned by the entire Legislative Assembly here in Ontario.

All members of the House will appreciate the tremendous support that we receive from the legislative library here at Queen's Park. I cannot begin to recount the number of times that I have relied on it for vital information I have needed and continue to need in my work as an MPP. I often think that, for one reason or another, we do not thank the hardworking members of the legislative library enough for all they do for us so efficiently and often at a moment's notice.

Roz, as she was always known and will be remembered by those of us who were privileged to know her and to receive the benefit of her professional expertise, stood in a proud tradition as a member of the legislative library.

As one goes into the library, there is a framed facsimile of Lieutenant Governor Simcoe's proclamation on the pillar on the left. That document reminds us that our legislative library, like our Legislature, was founded at the time of Simcoe and was formally instituted under a Speaker by the name of the Honourable Al McLean, whose descendant sits among us here today in this House.

Roz's professionalism, research skill and encyclopaedic knowledge of legislative and legal issues were at the foundation of her established reputation and strong commitment to all members of Parliament here in Ontario whom she served so well with such distinction and perseverance.

Her friends and colleagues will remember Roz for her outgoing nature and especially her loving smile, whose warmth was felt by one and all. Her circle of acquaintances was very wide and included her friends from Havergal College and Queen's University as well as her colleagues here at Queen's Park.

Those in the Legislature who, in their wisdom, deigned to go on to other opportunities in the private sector were never forgotten by Roz, who kept in touch with them with her thoughtful notes, cards and letters. It has been said that letter writing is a lost and forgotten art. For Roz, it was a highly developed science with which she continued to communicate her love and concern for her friends and acquaintances.

Roz was an active member of St George's United Church, where she will be buried tomorrow. Roz was a

person focused on her worship of a God of love. How appropriate it is that the cross of St George is also represented in the coat of arms of the Legislative Assembly that she served for so long and so well. Her inspired love was readily translated into acts of charity, including the various assembly campaigns, and especially the Canadian Diabetes Association, dedicated to the eradication of the disease that eventually overcame her.

We shall all miss Roz. A spirit as loving and kind and outgoing as hers, however, lives on eternally in God, as she does in our hearts and minds.

1350

Mr Sean G. Conway (Renfrew North): I want to join the Minister of Agriculture on behalf of my colleagues in the Liberal Party and our staffs in extending to Roz's family our heartfelt sympathy on the shocking news that the Minister of Agriculture has reported.

I went into the library on Monday and I knew there was something wrong. I met some of the staff and it was very clear that something terrible had happened. As Mr Villeneuve has indicated, Roz Austin died very suddenly last weekend, suddenly and unexpectedly.

I want to associate myself with the remarks of the Minister of Agriculture. I spend a fair bit of time in the library. We are exceptionally well served by Mary Dickerson and her staff, and no one in that library, over all the time I've been here, which is now 22 years, has been a more exemplary public servant than Roz Austin. She was, as Mr Villeneuve indicated, always there, always helpful, very quick to the tasks assigned to her. It was amazing what she knew about Ontario and about the community life of not just the Legislature but the province as a whole.

She had family and friends in Renfrew, and we used to talk about that; her connections to the airline industry; her friends at Havergal; at St George's United Church. Through thick and thin, she was a loyal Blue Jays fan. But most of all, she was a loyal and dedicated public servant. She was the best of the public service.

I just hope all members, as we pay tribute to her today, particularly those of us who had the opportunity to work with her in that library, remember just what an excellent and helpful public servant she was. She will be missed. She was a great friend. On behalf of my colleagues and our staffs, we thank her. We will remember her memory, and we certainly extend our condolences.

Mr Bud Wildman (Algoma): I want to join with my colleagues the Minister of Agriculture, Food and Rural Affairs and the member for Renfrew North in expressing, on behalf of our caucus, our sadness at the sudden passing of Rosamond Austin.

Rosamond, or Roz, was, as we've seen and as has been said, a long-standing employee of the legislative library, someone who was interested in the goings-on around this place beyond the library, and kept in touch with members and their activities both here and outside this place.

I guess what she will be best remembered for, beyond her efficiency, was her friendly, outgoing approach. She seemed to be able to deal with an MPP rushing into the library looking for information, probably not knowing

what she or he was looking for, and she was able to direct them and perhaps deal with, sometimes, the angst or upset of a member in a rush to find out information and not knowing where to go for it.

She was indeed a dedicated employee, one who is remembered with tremendous fondness by her fiends and co-workers, someone whose sudden passing causes a great deal of sadness.

We owe a great deal, as MPPs, to the dedicated work of people like Roz on behalf of this assembly and the people of Ontario. All of us owe her a great debt of gratitude. I know her co-workers will miss her, as will her family and friends. I would just say, on behalf of our caucus, that we recognize this place does not operate without the kind of work and dedication of a Roz over the years. We appreciate it, and we will remember her for that.

The Speaker: I know I can speak on behalf of the legislative staff in the library to thank all members for their comments. It certainly was shocking to all people in the Legislature, I suppose especially the staff of all members.

I want to add one comment briefly, something I've noticed over the time I've been here. It amazes me how quickly the legislative library and people such as this can turn someone who is elected into an expert on certain subjects so quickly. You knew full well it was the background and research and work and incredible timeliness they provided for all members of this place.

I know the legislative library staff is here today. It hit like a ton of bricks, I suppose would be the simplest way of putting it.

I would like to thank all members for the comments they've made. I will be certain that your remarks and comments are forwarded to the family. Thank you once more.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Mr Wayne Wettlaufer (Kitchener): Mr Speaker, I beg leave to present a report from the standing committee on finance and economic affairs and move its adoption.

Clerk at the Table (Ms Lisa Freedman): Your committee begs to report the following bill as amended:

Bill 140, An Act to establish the Financial Services Commission of Ontario and to make complementary amendments to other statutes.

The Speaker (Hon Chris Stockwell): Shall the report be received and adopted? Agreed? Agreed. The bill is therefore ordered for third reading.

STANDING COMMITTEE ON THE OMBUDSMAN

Mr John O'Toole (Durham East): I beg leave to present the third report 1997 of the standing committee on the Ombudsman.

The Speaker (Hon Chris Stockwell): Does the member wish to make a brief statement? No.

SPEAKER'S RULING

The Speaker (Hon Chris Stockwell): Two quick issues.

On Wednesday, October 8, 1997, the member for Algoma (Mr Wildman) raised a question of privilege with respect to the distribution of municipal financial information by the Ministry of Municipal Affairs and Housing. The member contended that his privileges had been breached because this information was made available to him later than it was made available to government members, certain municipal officials and the media.

I have had an opportunity to review our precedents and parliamentary authorities dealing with generally similar kinds of situations.

I want to draw several rulings to the attention of the House. First, on March 1, 1989, Speaker Edighoffer ruled that there was no point of privilege in circumstances where it was alleged that government members were going to receive a briefing that opposition members were not going to receive at the same time.

Second, on June 8, 1992, it was alleged that an opposition critic had received certain information from a government ministry later in the day than had been promised. Speaker Warner ruled as follows:

"I must regrettably inform the member that while he has not lost a privilege, indeed he speaks of something that could be described as a courtesy, which apparently was not extended to him on this particular occasion."

Finally, the same Speaker ruled on July 8, 1993, that it was not a matter of privilege that a member did not receive a ministerial statement at the same time as it had been distributed to the opposition critics.

Turning to the matter raised by the member for Algoma, I appreciate that the member would have preferred that all members could have received the information at the same time. However, the Speaker cannot require the government to release such information — or to release it at a certain time. There is nothing in our rules or our practices that would permit a Speaker to control the dissemination of that kind of information. It is clear from any number of previous Speakers' rulings that these types of situations do not amount to a *prima facie* case of privilege.

Let me make this point, however. In a written submission to me on this matter, the government House leader acknowledged that a more coordinated distribution of the information in question would have been desirable. I agree, and to quote a previous Speaker, these kinds of administrative discourtesies do give rise to "a valid griev-

ance of which the government should take serious note." I am certain that, in future, every care will be taken to prevent a recurrence of situations similar to the one on which I have just ruled.

In closing, I'd like to thank the member for Algoma for bringing the information to my attention.

LEGISLATIVE PAGES

The Speaker (Hon Chris Stockwell): Folks, this is the last day for the pages we have here. I'd like to thank them for doing such a wonderful job in the Legislature and wish them Godspeed on their way home. Thank you very much.

ORAL QUESTIONS

IPPERWASH PROVINCIAL PARK

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Premier. A few days ago, I drove to the Stony Point reserve, Ipperwash. I talked with the first nations about their growing anger about your personal refusal to call a public inquiry into the tragic shooting death of a first nations person over two years ago. They said to me that everything the government has said about Ipperwash has proven to be wrong.

The government said there was no evidence of any burial ground there; months after the shooting, the government admitted it had evidence in its files. The government said that Dudley George was shot because he had a firearm. The judge at the trial of the OPP officer said, "I find that Dudley George did not have any firearm on his person when he" — the OPP officer — "shot him. The story of the rifle and the muzzle flash was concocted ex post facto in an ill-fated attempt to disguise the fact that an unarmed man had been shot." You said one day in the House here that you gave no instructions to Deb Hutton. We found that you did give instructions.

The question is this: In the name of basic decency, will you tell the first nations people today that the government of Ontario will hold —

The Speaker (Hon Chris Stockwell): Thank you, Premier.

Hon Michael D. Harris (Premier): I refer the question to the Attorney General.

Hon Charles Harnick (Attorney General, minister responsible for native affairs): The issues pertaining to land claims at Ipperwash have a process that can be followed if a claim is made. No such claim has been made.

In addition to that, there are court cases going on that are determining facts in the given circumstances. It would be inappropriate to discuss that evidence, as it would be inappropriate to have an inquiry at this time.

1400

Mr Phillips: Premier, I demand you answer this question. You're acting in a shameful, deceitful way to the

people of the first nations. They want a commitment from you that you will hold a public inquiry.

I'll go on with some more examples of the deceit. You said you gave no directions to the OPP. We find that —

The Speaker: Order. Member for Scarborough-Agincourt, I believe "deceitful" to be unparliamentary. I ask you to withdraw.

Mr Phillips: I withdraw that word.

I'll go on with more examples. You said that the OPP were given no direction. We find in the minutes of your own interministerial meeting, "The police have been asked to remove the occupiers from the park." On the day of the shooting the headline in the local paper was, "Queen's Park to Take Hard Line with Occupiers." The government laid 43 charges against the first nations and then was forced to drop them. The government's own lawyers said, "No reasonable prospect of conviction." You said no political interference, and your own MPP Marcel Beau-bien was at the police command post four hours before the shooting, saying he had faxed you and was looking forward to your intentions.

You owe the first nations people a commitment to a public inquiry. Will you, Premier, make that commitment today that you will hold a public inquiry?

Hon Mr Harnick: The government has been quite clear and consistent. The minutes of documentation that have been provided to the member indicate quite clearly, first, that the government would not negotiate on substantive issues while the occupation continues; second, that no direction was given to the Ontario Provincial Police regarding negotiations, as was appropriate; and third, that the only step the government took was a decision by me, as the Attorney General, to seek a civil injunction. The documentation that has been delivered is quite clear that this is in fact what happened. That practice is 100% consistent with the practice of other governments in similar situations.

Mr Phillips: I will say to the public of Ontario, we should all hang our heads in shame that the government will not make a commitment to the first nations to hold a public inquiry. I can't look the George family in the eye and explain your actions, Premier. They have seen nothing but lies and deceit on this whole issue.

The Speaker: Order. You must withdraw that.

Mr Phillips: I'll withdraw that, Mr Speaker.

If Ontario wants to restore any credibility, Premier, with our first nations — I say again, you told the public that the police were returning fire, and then we find that there were no firearms with our first nations. You said you had no evidence of a burial ground, and we find within your own records evidence of a burial ground. You said no political interference, and then we find that your own executive assistant is saying at that meeting, "Premier wants out of the park...nothing else." Then we find that the OPP superintendent at that meeting was on the phone within minutes to the command post.

I say again, what the first nations are owed without a question of a doubt from you, Premier, is a commitment to

hold a full public inquiry. Will you make that commitment today?

Hon Mr Harnick: Quite simply, the facts as outlined by the member are inaccurate. I suggest that the member take a look at the minutes and understand exactly what the facts are instead of repeating allegations that have no foundation in fact.

I have said, and the Premier has said, in this House that when the proceedings before courts are completed, consideration will be taken as to whether an inquiry should be undertaken.

HEALTH CARE

Mr Gerard Kennedy (York South): I have a question for the Minister of Health. Minister, in August your handpicked hospital destruction commission ventured into new territory: They issued a report to do with the future of the Harris health care system. The report was to tell Ontarians what we could expect in terms of home care, long-term care, mental health care and subacute care. Instead, today we learn from the five nursing organizations representing 143,000 nurses that what you've got in mind for us is no care.

The report you commissioned used data and evidence that were completely unsatisfactory to the nurses of this province. You didn't include, and the commission's report didn't include, people under the age of 75 — they didn't even include them — looking at long-term care. They didn't include children under the age of 14 for the mental health system — left them out completely. They didn't even include the people outside of hospitals for home care. When you leave out 60% of the people who use home care, how can people believe that you're not about to shut a bunch of people out of health care?

Hon Jim Wilson (Minister of Health): First of all, this isn't our report. It was not commissioned by the government, nor was it a report, in the sense that the honourable member is implying, commissioned by the Health Services Restructuring Commission. It was, as it says on its face, a discussion paper. What the nurses have done today, through their press conference, has been part of that discussion. Their concerns, some of them very valid in terms of some of the directions put forth in that discussion paper, will be taken into account, I'm sure, by the commission, as will the Ministry of Health's comments on that discussion paper.

Mr Kennedy: Minister, you've been very reluctant to tell us where you stand in terms of some of the standards that should exist in this province. When it comes to care outside of hospitals, you're pushing people out of hospitals quicker and sicker. You are doing that, Minister, not a commission, not somebody else. You've cut the money to hospitals. When you're doing that, the care that people can then depend on, either in their home or in a long-term-care facility — there are no standards. In fact, you've cut what standards there were.

Will you stand in the House today in your capacity as Minister of Health, if you're not simply going to abdicate

all your responsibility, and tell us that the standards that people will get outside the hospital will be at least as high as the standards in hospital? Will you make that guarantee? Will you take full responsibility to make sure that happens? Will you do that for us today?

Hon Mr Wilson: First of all, the decision to be in hospital or outside of hospital is a medical decision. Second, I may say to the honourable member that survey after survey, going back to the Davis government, through the Liberals and the NDP, show that people prefer to stay in their homes just as long as they can and as long as it makes common sense to do so. That's why in an unprecedented way this government, like no other government in the history of Ontario, has put 170 million new dollars into long-term-care services. Today in the province, unlike the situation we inherited two and a half years ago, there are no waiting lists for in-home nursing care in the province in any community. We check that all the time and —

Interruption.

The Speaker (Hon Chris Stockwell): Sir, you must leave the gallery, please.

Hon Mr Wilson: I remind the honourable member that there are some waiting lists for occupational therapy and physiotherapy. I've covered that in this House on many occasions. We're creating over 4,000 new jobs for nurses and home care workers. With respect to standards, these are professional people who provide this care and they will be guided by the standards of their professional colleges in the self-governing model that was set up by the previous government.

1410

Mr Kennedy: Minister, I think it's sad that you wouldn't listen to the Ivey school of business, to the Canadian Imperial Bank of Commerce, to your own report on Windsor emergency, and respond directly to what is being asked. We are asking you as the Minister of Health to guarantee some standards.

The nurses who provide the care say there are no standards. This is the message from the front lines. This is telling you as the minister to get on with protecting patients in this province, and for some reason you're reluctant to do that. In this report they say we can't afford to blunder our way to a restructured health system. You seem prepared to do that. It is people who get hurt when we take that approach.

I'll give you another opportunity, on behalf of the 143,000 nurses' concerns, not for their jobs but for the patients they serve every day: Will you stand in this House and guarantee that you won't be cutting standards when you ship people out of hospitals into community care? Will you take full responsibility for making sure that the care outside of hospitals is the same quality as the care in hospitals today?

Hon Mr Wilson: I would be happy to give the honourable member the guarantee that the quality of care will be like it hasn't been in the past. I can tell you that because there haven't been standards set by your government on home care or by the previous NDP government. There isn't a manual, if that's what you're looking for. There are

professional standards for the nurses that they have to abide by to maintain their nursing credibility. The registered nurses' association, which we have had very friendly discussion with on many occasions, knows the commission is attempting to write the first manual for standards in home care, which is what the discussion paper is all about.

We appreciate the honourable member's input into that discussion paper. I'm sure we'll get very constructive input from the honourable member.

The Speaker: New question. The leader of the third party.

Mr Howard Hampton (Rainy River): I have a question to the Minister of Health as well. Here is the problem you've got: 143,000 nurses in this province have come together to look at the kind of information that your health care restructuring commission is putting out. They have found, after looking at all of the details, that the health care restructuring commission is wrong in many of its assumptions, and that they announcements you've made about health care reinvestments are also wrong.

Specifically, let me put it to you: They have looked at the long-term care services, mental health services, at-home care, services for the disabled, the chronically ill and the mentally ill in community settings, and they have found that your announcements of reinvestment simply aren't adequate. Minister, here is the issue: Will you assume your responsibility as Minister of Health?

The Speaker: Question, please.

Mr Hampton: Will you follow up on what the nurses have said and will you come back to this Legislature and either confirm what you believe or deny —

The Speaker: Minister.

Hon Mr Wilson: I wouldn't deny the nurses' concerns at all, for one minute. These are responsible people. The Registered Nurses' Association of Ontario is one of the very best health associations I have had the pleasure of working with. We have an excellent relationship and have had for over seven years, during my time in the Legislature.

The concerns they point out are with respect to a discussion paper. This is a legitimate part of the process and their concerns will be taken into account. I welcome their comments. These are the people on the front line who know what's happening in the day-to-day affairs of health care in our province.

Mr Hampton: Minister, I don't think you get the importance of this issue. The nurses are saying very clearly that you are cutting hospital services and you are closing some hospitals. In the same breath you pretend that you are making adequate reinvestments in the community sector such that the services people will need will be there.

The nurses have gone out and they have looked at all your numbers. They've looked at all the assumptions that are being made and they say very clearly, it's wrong. They just don't add up.

Look, for example, at nursing homes. You've reduced the number of hours of nursing care in nursing homes so that people who are in nursing homes are not getting the

same allotment of nursing care they have in the past; you've reduced that.

Similarly, if you look at the reinvestments you've announced in Thunder Bay, they aren't adequate; in Sudbury, they aren't adequate; in Ottawa, they aren't adequate; in London, they aren't adequate. When you couple the cuts you're making with the inadequacy of the reinvestments, you're creating a disaster. Take responsibility for that. Check out the numbers and come back and tell us.

Hon Mr Wilson: The honourable member's question was perhaps prepared before we put the \$100 million, just two months ago, into the long-term-care system, the largest single investment —

Interjections.

The Speaker: Order. Minister.

Hon Mr Wilson: The honourable member isn't correct in saying there's less care. With the \$100 million, that brought an average of 16 hours' more care per resident per home, the highest levels of care available. Those jobs are coming on line. There have been a number of new hires and there will be about 2,200 new hires with that single investment alone.

In total, with those two investments of \$170 million and the \$100 million, that's over 6,000 new jobs being created in exactly the community sector the nursing profession was talking about today.

I've not had one nurse complain about any of the investments we've made today. These services, in-home therapies, in-home nursing, Meals on Wheels, friendly transportation, friendly visiting, are real services to real people. We're doing our darnedest to make sure those people get those services. I know the nurses and professionals on the front line appreciate the assistance the government is giving.

The Speaker: Final supplementary.

Mr David Christopherson (Hamilton Centre): Minister, I have a stark example of the impact of your policies on one elderly couple in my riding of Hamilton Centre. James Currie is a 73-year-old blind man who suffers a form of geriatric dementia. He is in a chronic care hospital, but his wife has been forced to hire a private-duty nurse to cover the hours of care her husband needs, needs that cannot be met by the hospital. Mrs Currie pays \$1,100 per month for nursing care, and on top of that she pays \$1,240 per month copayment.

This is all because of your cuts. Further, your regulations do not require the hospital to reduce her copayment, even though she is paying for most of the nursing care her husband is receiving. Minister, will you change the regulation now so that Mrs Currie and everyone else in her situation will not have to continue personally subsidizing the hospital to make up for your cuts?

Hon Mr Wilson: It may come as a shock to the honourable member, having been a minister in the last government, but we're spending 55% more on home care today than you did when you began in office. We spend today more per capita on health care than anyone else in any other jurisdiction in Canada. We spend more on physician services. With respect to chronic care, I can only

assume from the information I have that it's part of the copayment policy that was introduced by the Liberals years ago. But I'd be happy to look at the individual case and see if there isn't more. We're not doing anything less in home care than any other government. Everything we have done in home care — the word "cuts" does not apply — has been new additions, new services to meet the needs of the growing and aging population.

TEACHERS' COLLECTIVE BARGAINING

Mr Howard Hampton (Rainy River): I have a question for the Premier. You spoke to reporters yesterday about the looming teachers' strike, which your government has done its utmost to provoke. You're quoted in the *Globe and Mail* today as saying, in reference to a teachers' strike, "I don't know whether either side has fully comprehended the implications of that kind of action." Can you tell us, please, what aspects, what part of a teachers' strike action you think your Minister of Education doesn't comprehend.

Hon Michael D. Harris (Premier): Absolutely nothing.

Mr Hampton: Premier, they're your words. You went out there and you said that you didn't think either side fully comprehended the implications of a strike action. I know what your Minister of Education has done. This is the Minister of Education who has created a crisis. This is the Minister of Education who has gone across the province provoking teachers, provoking school boards. This is the Minister of Education who talks about Ontario students as being mediocre. This is a Minister of Education who doesn't seem to have any sort of contingency plan to deal with the strike action that he is doing his best to provoke.

Premier, I want to ask you again, what part of this do you think your Minister of Education doesn't understand? What role are you prepared to play to resolve the problems your Minister of Education has created?

Hon Mr Harris: I think the minister fully understands the seriousness of the situation. I'm not sure students, teachers, trustees and parents understand the implications of breaking the law.

1420

Mr Hampton: Premier, I take it it's your view that the looming teachers' strike is all the responsibility of parents, it's the responsibility of boards of education, it's the responsibility of teachers. That seems to be your point. That seems to be what you're saying here today.

Do you ignore the fact that it's your Minister of Education who has gone across the province insulting just about everybody who is involved with our education system? Do you ignore the fact that the first thing your Minister of Education said upon becoming minister was that he wanted to create a crisis in education? Do you ignore the fact that it's your Minister of Education who continues to go out there and talk about taking a further \$1 billion out of our education system? Do you assume no responsibility for anything with respect to education in this prov-

ince? Is that your position, that your government isn't responsible for anything that has happened here?

Premier, your Minister of Finance goes to Harvard and talks about how good our education system is. You go to Europe and talk about how good our education system is. You brought on the crisis, and you're going to bring on the chaos. Are you going to assume some responsibility here and help avoid it?

Hon Mr Harris: What I do know is a few things. Actually, since your election both in opposition and in government, you continue to say things that do not reflect the situations as they exist, including as you speak in your place today. You ask me to react to inaccuracies that bear no resemblance to the facts. So as challenging and as interesting as that is, I don't think it's particularly productive to a situation that is a very serious situation.

What we comprehend and what we are dealing with is perhaps 20 years, but certainly at least 10 years, of an education system that has slowly been falling behind the rest of Canada and the rest of the world, a serious situation where an education system, once the best in the world, is just okay. Yes, we have a Minister of Education and a government and a cabinet —

The Speaker (Hon Chris Stockwell): Thank you. Premier, can you come to order, please. New question

EDUCATION REFORM

Mr Dominic Agostino (Hamilton East): My question is to the Premier. Early this afternoon five students from Scott Park Secondary School in Hamilton came to your office with a petition signed by over 2,000 Hamilton-area students, and there are more to come. These students, Josh Long, Lucas Halbert, Jeff Garrett, Matt Fancey and Joe Bollard are here.

You refused to meet with them. They wanted to speak to you about their concerns with the education system. They wanted to speak to you about the over half-a-billion-dollar cuts. They wanted to speak to you about the potential strike you're forcing teachers into. But arrogantly you went into your office and you didn't have time for these five students. These five students are here. They're concerned. They care about the education system. They're concerned about what you and your minister are doing. Will you or your Minister of Education meet with these five students after question period today?

Hon Michael D. Harris (Premier): I certainly did not refuse to meet with anybody who requested a meeting. I think my office was asked if we would receive a petition from five concerned students, and I tell you I share their concern. We were happy to receive the petition. In fact, I can assure the students that everything we are doing is to improve the quality of education that they are getting, to improve their job prospects once they get that education, to be able to ensure that the jobs and the employers are able to have the skills and that they have the skills that are required.

I share their concerns. I am on their side, and we will make the difficult decisions to make sure their education

system is better as a result of the very positive changes we are making.

Mr Agostino: It is that type of smug arrogance that has caused the crisis we are in today. Premier, very clearly these five young people were not screaming and yelling. They weren't demonstrating. They wanted a couple of minutes of your time to give you their concerns. No, they don't share your agenda. No, they don't agree with your agenda. Maybe that's why you didn't want to talk to them.

Last night, the Minister of Education was in Hamilton at a fund-raiser attended by 25, protested by 200. The night before, there were 8,000 people at Copps Coliseum: teachers, parents, students. Premier, there is a crisis. These students are concerned about their education, they are concerned about what you're doing, and you do not have the decency to give these young people a few minutes of your time. It is their future that you are playing with. It is their future that is at stake.

Premier, again I'd like to ask you, and rather than skate around it, very directly: Will you or your Minister of Education after question period agree to meet with these five young people that are here from Hamilton and listen directly to their concerns and address their concerns?

Hon Mr Harris: Let me set the record straight on a couple of things. To date, other than you now asking for a meeting, this is the first time that I have been asked, would I or the Minister of Education attend the meeting? I appreciate you asking. What I was asked was, would I receive a petition from the students? My office was happy to receive it and it has been forwarded on to me.

Now, with respect to your request, I believe this: Yes, the Minister of Education will meet with the students, and I think they will find at that meeting that they do share my agenda, that they do share the minister's agenda. I think when they get the facts instead of the rhetoric that they may have been getting from you, they'll find they're on side with me, they're on side with John. They want a better quality education. So we're happy to meet with them.

PUBLIC HEALTH

Mrs Marion Boyd (London Centre): My question is to the Minister of Health. Your government is creating another crisis, and this time it's with the public health system. At the same time that you're downloading the funding and the delivery of public health to municipalities, we have a growing problem with tuberculosis in the province, especially in Metropolitan Toronto, especially among the poor and the homeless. There is a growing number of tuberculosis strains that are resistant to available medications and vaccinations.

You've been warned about this. You've been warned about it by the Street Nurses Network, by the medical officer of health here in Toronto, and the committee that is hearing the Bill 152 depositions is hearing it again. I've raised it with you before, but you continue to press ahead with this ill-conceived plan of downloading public health on to the backs of cash-strapped municipalities. Minister,

will you reverse your decision and retain provincial responsibility for public health protection?

Hon Jim Wilson (Minister of Health): There won't be any change with respect to TB testing in the province. This is not a case, as the honourable member said, again in error, of cash-strapped municipalities. We're freeing up over \$2 billion off the property tax. We then expect municipalities to set the same type of priorities that we have to set here in the province of Ontario.

We certainly expect that public health will be a priority, and all the legislation and programs in place now are maintained. In fact, the public health legislation which is before a committee now is actually strengthened. There are new teeth in that legislation for the public health community to make sure these programs, the absolute mandatory programs, are delivered. TB testing is provided. The TB strips and testing equipment are provided free of charge to residents of this province, and that will continue under the Who Does What arrangement.

1430

Mrs Boyd: Minister, I think it's time you did a reality check. Here in Metro there's a crisis with homelessness. Last night there were over 5,000 people in Metro's homeless shelters. That's roughly the population of a town like Bobcaygeon or Wiarton, or Stayner in your own riding. The threat of widespread resistant forms of tuberculosis is rooted in the increased poverty and homelessness your government has caused.

Bill 152 will download the responsibility and will seriously affect the ability of medical officers of health to deal with this type of epidemic. It's the whole population, not just that specific population, that's at risk. Your government's policies are increasing homelessness and poverty, and at the same time you're putting local medical officers of health at the mercy of municipal budgets and severely limiting the role of the chief medical officer of health to protect the public throughout Ontario.

Minister, are you going to allow our public health to erode, the way it has in the United States, where similar measures of download have happened?

Hon Mr Wilson: I say with all respect to the honourable member that there's not one supported fact in your question. First of all, we strengthened the role of the public medical officer of health.

Second, the legislation that's before committee is some of the best in the world, and it's by far the toughest Ontario has ever seen with respect to delivering mandatory programs. TB is an infectious disease; therefore it's a mandatory program that must be delivered.

Third, the blanket smear you're putting on the homeless is regrettable. They do not have, according to our chief medical officer of health, an overly high incidence of TB. We certainly don't want people being afraid of the homeless and afraid to help the homeless if they feel that person has TB because you've gone around the province saying they have a very high incidence. The fact is that the homeless living in shelters in Toronto do not contribute significantly to Ontario cases of TB. Scaremongering

doesn't help the homeless. I ask the honourable member to stick to the facts.

With respect to those high-case areas —

Ms Shelley Martel (Sudbury East): Do something to make sure they aren't homeless.

Mrs Boyd: You should hang your head in shame, Jim.

The Speaker (Hon Chris Stockwell): Members for London Centre and Sudbury East, come to order. Member for Sault Ste Marie, come to order.

Mr Tony Martin (Sault Ste Marie): Where has he been?

The Speaker: Member for Sault Ste Marie, come to order.

Hon Mr Wilson: Again, according to the medical officials —

The Speaker: Answer, please.

Hon Mr Wilson: — they know what areas of the province and what populations of the province have a high incidence of TB. All those programs are in place. There have been no cuts. There has been new money for public health. We're doing the province-wide vaccination programs for pneumococcal and TB —

The Speaker: Thank you.

INVESTMENT IN ONTARIO

Mr Frank Klees (York-Mackenzie): My question is to the Minister of Economic Development, Trade and Tourism. Recently I, together with the Minister of Consumer and Commercial Relations, the Honourable David Tsubouchi, had the opportunity to attend —

Interjection.

The Speaker (Hon Chris Stockwell): Member for Sault Ste Marie, that is out of order. I ask you to withdraw that.

Mr Tony Martin (Sault Ste Marie): I withdraw.

Mr Klees: Thank you, Speaker. I will start over again.

My question is to the Minister of Economic Development and Trade. Recently I, together with the Minister of Consumer and Commercial Relations, had the opportunity to attend a dedication of a new printing machine that cost some \$20 million as an investment in Markham.

The president of that company, PLM Graphics, Mr Barry Pike, in his comments that evening referred to the success of his business, which has grown from some \$30 million in business to more than \$60 million in just two years. He credited the Mike Harris government and the Mike Harris policies with that success. He said that his confidence to invest in this province was as a direct result of the Mike Harris policies.

I understand that KPMG announced a new study today that shows Ontario is one of the best places to invest in the world, and that six Ontario cities were among the top 20 on that list. Minister, can you please comment as to what this survey means on a national and international level in terms of investment?

Hon William Saunderson (Minister of Economic Development, Trade and Tourism): I think the KPMG report that has just been referred to is very instructive of

what's going on in this province. First of all, it shows that Canada is leading the industrial world in terms of competitiveness, and that also means Ontario, because we're 40% of the economy. The study gives Ontario a 3.9% cost advantage compared to the United States. I'd like to say hats off to Hamilton, Sarnia, London, Toronto, Sudbury and Ottawa for their tremendous showing in the study, ranking as six of the 20 cities that were reported upon.

The fact is that we came out on top in Ontario in food processing, medical devices, pharmaceuticals and software production. I think it proves once again that our efforts are working to make Ontario the best place in the world in which to invest. When you group this study with earlier testimonials from the United Nations and Fortune magazine, Ontario certainly is back on the map for international investors.

Mr Klees: KPMG is a well-respected consulting firm. I would think the results of this survey can be pointed out to international businesses as proof that Ontario is open for business. Can you tell us what the criteria of that survey were, and can you further tell us what other factors about Ontario are positive that we can market to other businesses around the world to bring them here to Ontario to invest?

Hon Mr Saunderson: In response to the supplementary, the study reviewed several business costs. The categories included taxes, land, labour and construction costs, productivity, electricity rates and telecommunications costs. These are essential when foreign investors are looking at a jurisdiction in which to invest.

What the study did not mention were things like the proximity to market, the fact that we're one day's drive from 120 million people. We have skilled workers and a quality of life and infrastructure that are second to none. I would bet that if you factor all these criteria with those of the KPMG study, Ontario cities can beat just about every city in the world. When we have created, since being elected, over 250,000 new jobs in Ontario, that says what's happening in this province.

GASOLINE PRICES

Mr Bruce Crozier (Essex South): My question too is for the Minister of Economic Development, Trade and Tourism. The only difference is that he didn't write this question.

With the exception of Essex county and parts of the north, where the per-litre price of gasoline is 61.9 cents in Essex county and 65.8 cents and higher in the north, gasoline prices did ease a bit this summer. But lo and behold, here we are just before Thanksgiving and suddenly the price of gasoline has jumped again.

The Minister of Economic Development, Trade and Tourism said in answer to a question earlier this year: "I have no intention of interfering with the free enterprise system, the pricing system. If we were to do that, we would be the laughingstock, sir." Well, these gasoline prices that jump up before holiday weekends are a laughingstock, Minister. What are you going to do about it?

Hon William Saunderson (Minister of Economic Development, Trade and Tourism): I'm going to refer that to the Minister of Consumer and Commercial Relations.

1440

Hon David H. Tsubouchi (Minister of Consumer and Commercial Relations): We have done a number of things. The first thing we did was meet with the independent gas dealers to listen to their issues. Second, we met with the gas refiners already to indicate our great concern in this area. What we did from that — no other government has taken other steps past that point, whether the previous NDP government or the previous Liberal government — was that we took this issue to the provincial ministers' conference which was held in Regina. Through the cooperation of my colleagues across this country who also have a concern about the fluctuation of gas prices across this country — no consumer should be forced to deal with these terrible gas prices and fluctuations — we have taken action. We have been able to create a task force which is in currency right now. We are going to be looking at these fluctuations.

The difference is that it's not just government here; we have included consumers to see at first hand the impact on them and to find a solution to work hand in hand with the consumers.

Mr Crozier: You can have all the meetings you want, you can meet with all the producers you want —

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): Thanks to your friends in Ottawa.

Mr Crozier: I'll get to the friends in Ottawa.

The point is that the gasoline prices just jumped this week, just before a holiday weekend. What did your friends in the gasoline industry have to say about that? You know what? Ontario has the fourth-highest provincial sales tax on gasoline in the country. The federal government, on the other hand, has the second-lowest. What are you going to do about the gouging? What are you going to do about the predatory pricing? What are you going to do that's active and not just passive?

Hon Mr Tsubouchi: Before I left to go to the provincial ministers' conference in Saskatchewan, we asked for the assistance of all parties in this House to take forward the consumer interest to Saskatchewan. To the credit of the NDP, they supported going forward with a vote, because they realized that their constituents, whether in northern Ontario or across this province, had an interest —

Interjections.

The Speaker (Hon Chris Stockwell): Order.

Hon Mr Tsubouchi: No thanks to the Liberal Party, because quite frankly, they kept on saying: "We need to speak more about this. We need to talk more about this. We don't want action." They had eight speakers, yet that wasn't enough for them to come to the conclusion that the NDP and we came to, that we needed to protect the consumer.

I want to pose a question back. He is asking about tax increases. Who the heck put it there? You guys did.

WORKERS' COMPENSATION

Mr David Christopherson (Hamilton Centre): My question is to the Minister of Labour. Your Bill 99, attacking injured workers, is scheduled for a final vote today. That means that today is your last chance to listen to what the workers have been trying to tell you.

They know that the workers' compensation system needs to change, but not the way you're doing it, not by taking \$15 billion away from disabled workers, not by ignoring the real issues that stress and chronic pain cause in our communities, not by making changes that will have their worst effects on our younger workers, not by opening the door to privatization of WCB services and not by wasting \$1 million changing the name of the WCB.

To top it all off, you made a last-minute change to Bill 99 that will make your drastic new time limits retroactive on all past WCB decisions. That means there are tens of thousands of injured workers who must file appeals by the end of next June or lose their rights without even knowing it. People are telling us there is going to be a tidal wave of appeals that will throw your new system into chaos. This is your last chance. Stop Bill 99 and stop your attack on injured workers.

Hon Elizabeth Witmer (Minister of Labour): The legislation which we are passing today is going to achieve a very significant objective, that is, it's going to shift the focus from compensation to the prevention of injury and illness. Bill 99 is, for the first time, going to deal with health and safety.

I would indicate to you that we are certainly aware of the concerns of injured workers. I received a letter yesterday, and I have responded and I have indicated to them that we will be communicating the new time limits to them. The board has also been instructed to be very flexible, and we are going to make sure that all injured workers are aware of the time lines. However, we will be very flexible as to how we deal with those individuals.

Mr Christopherson: Karl Crevar, president of the Ontario Network of Injured Workers Groups, is here and so are a lot of other injured workers who are being hurt by your Bill 99. This is not about shifting responsibility; this is about taking money out of pockets —

Interruption.

The Speaker (Hon Chris Stockwell): Stop the clock, please. You can't interrupt. Please leave now.

Interruption.

The Speaker: Please leave. It's not a debate, sir.

Interruption.

The Speaker: Let me caution the galleries. If there is another interjection, I'm going to clear the galleries.

Mr Christopherson: I think everybody needs to understand that the reason injured workers feel this way is that they didn't get their say. They only got six days of hearings on WCB in the middle of summer. The fact is that in every community they asked for more time to talk

about the fact that you're taking \$15 billion out of the pockets of injured workers and giving \$6 billion of it back to your corporate pals. You gave a 5% gift to your corporate friends and cut the net income of injured workers by 5%, you cut by 50% the amount of pension contribution and you killed the Occupational Disease Panel.

The fact is that there is nothing in Bill 99 that helps workers; it just helps your friends. This is a disgrace, it's an attack on injured workers, and the only honourable thing to do is withdraw Bill 99.

Hon Mrs Witmer: If you take a look at Bill 99, you will see it is designed to help reduce the number of injured workers in this province, because its new focus is going to be prevention, it's going to be health and safety.

I would just share with you some information which you may or may not be aware of. I know that the chair of the board of the WCB has had an opportunity to speak with some of the key leaders of the injured workers' groups.

Interjection.

The Speaker: Member for Hamilton Centre, I'm not warning you again. Come to order.

Hon Mrs Witmer: He has indicated his willingness to work with the injured worker groups, and I understand it was a very productive meeting. We will certainly continue to address the very specific concerns of the injured workers.

EDUCATION REFORM

Mr Tony Clement (Brampton South): My question is to the Minister of Education and Training, and it involves Bill 160 which is before this Legislature. Since our election, the government has endeavoured to significantly improve and reform the educational system in Ontario, to create a system that works for students, for parents and works with the help of teachers as well. Bill 160 is one of the ways we are trying to instil quality, efficiency and standards on which students will be judged in the increasingly competitive world in which we live.

Even David Cooke, a former education minister, has said it's about time that everybody understand that the strength of our public education system is that it is able to change.

I have received several messages from my riding in various forms, including my Web site at www.clement-mpp.org, from constituents and citizens of Ontario who support our goals but are concerned about the perceived increase in instructional time and the decrease in prep time. One of the most valuable things that teachers do is co-curricular activities. Will these survive?

Hon John Snobelen (Minister of Education and Training): I want to thank the member for the question. Obviously, there is a long record of this government helping to improve education, with a professional college for teachers, with province-wide testing, with a reduction in school boards, with a new funding model, with the province being responsible, with a new curriculum with

clear standards for our students, with province-wide report cards, with a new secondary school program, all designed to improve education for our students in Ontario.

In response to requests not only by the Education Improvement Commission but by the Ontario Public School Boards' Association and others, we have asked the secondary school teachers to take the same amount of time in class instructing students as other provinces do. But I want to assure the member that in other provinces there are extracurricular activities. Teachers are able to work with their students before and after school. We're not asking our teachers in Ontario to do any more than what our elementary school teachers are currently doing, and that is to be in class the same amount of time as the average of their colleagues in other provinces.

Mr Clement: Thank you, Minister. I'll be posting your response at www.clement.mpp.org. But while I have you, I want to ask another question. The bill will also attempt to minimize classroom sizes in order to provide students with a greater opportunity to seek assistance when it's needed. Why is it necessary for the government to take over an area that has traditionally been the purview of boards and unions?

Hon Mr Snobelen: I thank the member for the question. Obviously, the record is very clear. In the negotiations between boards and teachers' unions over the course of any number of years, we've seen an increase in classroom size and we know that's not good enough for our students. We have proposed in the bill before the House and the province to make sure that class size can no longer grow and no longer continue to jeopardize the education of our students. It's not okay for this government to have Ontario be the caboose in the education train in Canada. We will not rest until Ontario students have the best performance of any students in Canada. That's our goal and we will attain that objective.

1450

MUNICIPAL RESTRUCTURING

Mr John Gerretsen (Kingston and The Islands): My question is to the Minister of Municipal Affairs and Housing. Your municipal restructuring order for the Kingston area is causing a great deal of confusion as we get closer to the January 1 implementation deadline. The agreement that was reached between the affected municipalities and you clearly stated that the decisions of the board of control could be overridden by a simple majority of council. But it appears that under the restructuring order you signed this is not the case and that a two-thirds majority is needed to override a board's decision.

This has come as a great surprise to the many area politicians and to the transition board itself. Why did you not inform the councils when you issued the order that this request for a simple majority vote to override the board of control was not granted? What will you do to correct this situation that you have created before the November 10 election deadline?

Hon Al Leach (Minister of Municipal Affairs and Housing): I thank the member for Kingston and The Islands for his question. The council members in Kingston were advised that the Municipal Act has a clause in it that if there is a board of control created in a municipality, you need two thirds to overrule a decision of the board of control. They were advised of that and went ahead and set up a board of control knowing full well that was a requirement of the Municipal Act.

It was a decision the elected officials made when they were putting their restructuring proposal together to establish a board of control. They did that. They did that knowing full well that it requires a two-thirds vote of council to overrule any decision by a board of control.

Mr Gerretsen: Let me just say that the members of the transition board and the people who were involved in those negotiations in the city of Kingston certainly don't agree with you on that issue at all.

Let me raise another problem with you with respect to the restructuring order. Can you tell me why that restructuring order, unlike all the other restructuring orders you've issued, does not deal with the issue of policing in the new city? Generally, the other orders gave police services boards the right to decide how policing would be provided in restructured communities. This is not the case. The order is silent.

Let me just remind you, Minister, of something you stated in a letter to them on June 17: "Given the knowledge and experience of the chair and board" — the police services board — "I'm confident that you will all be in a position to make a significant contribution to the police servicing issue in the new city of Kingston."

The issue of policing is central to public safety in the community. Unfortunately, in the absence of a clear direction in your restructuring order, the process of making policing decisions for the new city has degenerated into confusion. Will the minister let those, as you have put it, with "knowledge and experience," assume their proper role for amending the restructuring order for the city of Kingston and give the police services board of the city the authority to decide policing issues in the new city? Will you amend the order?

Hon Mr Leach: I'm not familiar with the issue on the police services board. I'd be pleased to take that question under advisement and get back to the member as quickly as I can. Seeing as this is the last day of the Legislature's sitting, I would be glad to get together with the member personally or provide him a response in writing before the November 10 election.

ACCESSIBILITY FOR THE DISABLED

Mrs Marion Boyd (London Centre): My question is for the Premier. Today, the disabled community won a tremendous victory with a Supreme Court ruling that people with disabilities must have equal rights to access the health care system. In particular, the court found that people who are deaf or hard of hearing have rights to sign

language interpreters when they're accessing health care services.

The Attorney General intervened in this case and argued that because health services are delivered by hospitals rather than directly by governments, it wasn't the government's responsibility to ensure that access is provided for people with disabilities. Well, you lost. The Supreme Court said that argument was not valid, and your government has been evading its responsibility, but you can't stall any longer. All citizens have the right, confirmed by the Supreme Court, of access to health services, and it is the government's responsibility to ensure that they have it. Will you stop your stalling and work with the Ontarians with Disabilities Act Committee and others to ensure access to our health care system?

Hon Michael D. Harris (Premier): I think the Attorney General can respond.

Hon Charles Harnick (Attorney General, minister responsible for native affairs): We have received the decision. It's a lengthy decision that involves a significant review of charter issues, and certainly we are reviewing the decision to assess its implications for Ontario.

Mrs Boyd: It's not particularly lengthy. It's only 10 pages. It is a Supreme Court of Canada decision and has far-reaching implications for people with disabilities, guaranteeing them access not only to health care services but to all other government services.

The decision today says, and I'll quote from page 5, "Legislatures may not enact laws that infringe the charter and they cannot authorize or empower other persons or entities to do so." On page 6 it says, "Governments should not be allowed to evade their constitutional responsibilities by delegating the implementation of their policies and programs." That is exactly what this government has been doing with the restructuring commission, with many of its other actions: trying to shove down decisions to other bodies to evade their responsibility for access to services.

The reason the question was to the Premier is that the Premier promised that he would enact an Ontarians with Disabilities Act in this province in his first term and he has yet to meet with the committee that has been formed, a rainbow coalition across —

The Speaker: Thank you. Attorney General.

Hon Mr Harnick: Certainly, the first term isn't over yet. I can say that the member has a very convoluted way of taking a look at what the Supreme Court said on page 5 and on page 6 and relating it to issues that bear no resemblance at all to what this case was about. Quite simply, as she recites those passages on pages 5 and 6, it shows how necessary it is to review and assess the implications of this decision on Ontario, and that's exactly what we're doing.

CROP INSURANCE

Mr Doug Galt (Northumberland): My question is addressed to the Minister of Agriculture, Food and Rural Affairs. The farmers in our area depend on a tremendous number of variables for their survival. They have to be some of the most optimistic people in the world. They

have concerns about weather conditions, they have concerns about prices, they also have to worry about disease and pest problems. Traditionally, crop insurance has helped to give them protection from this. My constituents are quite concerned about the changes that recently have been made to crop insurance. Could you explain to us those changes and how they're currently working?

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): Agriculture has had some major changes. Indeed, just a short report on crops: We had a cold, wet spring and a summer that was somewhat dryer. However, farmers are harvesting, as we speak, the biggest crop of soybeans in the history of Ontario.

Crop insurance is now in the hands of AgriCorp. AgriCorp is administered by farmers. We know we have certain areas under crop insurance that are not serving the agrifood community as well as they could. The farmers in charge are now looking at changing, particularly as it addresses the forage situation.

The corn crop this year is smaller acreage, but we have new outlets. A new ethanol facility will be operating in Chatham within the next month and a half, a brand-new outlet for Ontario's corn crop. Our farmers are thinking positively and I do believe are having a reasonably good year.

Mr Galt: The minister made reference to the crops. We did have an extremely dry period during this past summer, which traditionally leads to a crop failure. The harvest is well on its way and we're well into the corn harvest. Could you describe what kind of harvest we're really having in Ontario?

Hon Mr Villeneuve: Mother Nature has not been as kind as she has been in some years. However, there is very little the government can do. We do have safety nets in place. The crop insurance is there, the safety nets are there and governments do contribute.

I want to remind my friends opposite that the government of Ontario produces one third of the returns to the crop insurance, provides one third of their premium, as does the federal government, as do the farmers of Ontario. There is a substantial amount of money in there that will protect our farmers in the event of an absolute catastrophe, which is not the case this year.

1500

PETITIONS

TVONTARIO

Mr Michael Gravelle (Port Arthur): I was hoping to ask the minister for privatization to expand the public hearings across Ontario.

The Speaker (Hon Chris Stockwell): Why don't we just have your petition.

Mr Gravelle: I have a petition here that speaks to the need for public hearings across the province. We only

have five that the minister has agreed to, which is woefully inadequate.

"To the Legislative Assembly of Ontario:

"Whereas TVOntario/TFO is owned by the people of Ontario; and

"Whereas the Mike Harris government has opposed public support for maintaining TVO as a publicly owned and funded educational broadcaster by putting TVO through a privatization review; and

"Whereas the Mike Harris government has not confirmed that full public participation will be part of this privatization review" — and the hearing process is not enough, Minister.

"We, the undersigned, petition the Legislative Assembly to hold open and honest public consultation with the people of Ontario before making a decision on the future of TVO/TFO."

We call for hearings in Kenora, Fort Frances, Dryden, Windsor, Kingston and all the communities where we know TVO truly matters.

LABOUR LEGISLATION

Mr David Christopherson (Hamilton Centre): I would point out that there are representatives from S.A. Armstrong here in the gallery today.

"To the Legislative Assembly of Ontario:

"Whereas the introduction and passage of Bill 7 in 1995 legalized the use of replacement workers (scabs) in strikes and lockouts; and

"Whereas the use of scabs has contributed to lengthening the bitter dispute between S.A. Armstrong Limited in Scarborough and the United Steelworkers of America Local 6917; and

"Whereas the strike at S.A. Armstrong begins its second year in late April; and

"Whereas, as this case demonstrates, the legalizing of scabs makes the democratic decision of workers to withdraw their labour meaningless;

"We, the undersigned citizens of Ontario, petition the Legislative Assembly to rescind Bill 7 changes to the Labour Relations Act which allow the hiring of 'replacement workers'" — scabs — "thereby to restore the legitimate bargaining power of workers who have chosen to organize themselves into a union for the purposes of securing a collective agreement, and thereby to restore some small measure of fairness between the unequal forces of labour and management in this province."

On behalf of my NDP colleagues I proudly add my name to those of these petitioners.

COURT DECISION

Mr Tim Hudak (Niagara South): I have signatures from about 50 people from across the Niagara South area, including Donna Ruegg from Stevensville and Claude Winger of Ridgeway. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Ontario Court of Appeal has ruled that women have the lawful right to go topless; and

"Whereas the federal government of Canada has the power to change the Criminal Code to reinstate such public nudity as an offence;

"We, the undersigned, petition the government of Ontario to continue to urge the government of Canada to enact legislation to ban going topless in public places."

I affix my signature in support.

EDUCATION REFORM

Mr Alvin Curling (Scarborough North): I have a petition on secondary school reform in Ontario, and it reads like this:

"To the Legislative Assembly of Ontario:

"We believe that the heart of education in our province is the relationship between student and teacher and that this human and relational dimension should be maintained and extended in any proposed reform. The Minister of Education and Training should know how strongly we oppose many of the secondary reform recommendations being proposed by your ministry and government.

"We recognize and support the need to review secondary education in Ontario. The proposal for reform as put forward by your ministry, however, is substantially flawed in several key areas: (a) reduced instruction time, (b) reduction of instruction in English, (c) a reduction of quality teaching personnel, (d) academic work experience credit not linked to education curriculum, and (e) devaluation of formal education.

"We strongly urge your ministry to delay the implementation of secondary school reform so that interested stakeholders — parents, students, school councils, trustees and teachers — are able to participate in a more meaningful consultation process which will help ensure that a high quality of publicly funded education is provided."

I fully agree with the thousands of people that have signed this petition and I affix my signature.

Mr Tony Martin (Sault Ste Marie): I rise today to present to the House by way of petition 100 to 200 letters written by students from Mount St Joseph College in Sault Ste Marie, concerning Bill 160 and their rejection of that piece of legislation. It goes like this:

"Whereas I have become aware and concerned that the changes your government is making to the education system will not increase its quality; and

"Whereas your goal was to increase the quality of the education system and to lower the costs, the latter goes against the recommendation of the Education Improvement Commission, which your government hired, that indicated that any savings from changes be reinvested in the education system to increase its qualities; and

"Whereas it appears to me your government is cutting \$1 billion from the education system to support your credibility, a tax cut, rather than to maintain the quality of the education system;

"We ask that you withdraw Bill 160."

This is signed by many, many students, all in their own handwriting, from Mount St Joseph College in Sault Ste Marie. I add my voice and name to their call.

COURT DECISION

Mr Frank Klees (York-Mackenzie): I am pleased to rise to present a petition that was submitted to me by the Cedarview Community Church in the town of Newmarket, as well as the Newmarket Alliance Church, the Valley View Alliance Church, Living Water Faith Fellowship, the St. Elizabeth Seaton Catholic Church and the Church of the Nazarene. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Ontario Court of Appeal has ruled that women have the lawful right to go topless in public; and

"Whereas the Liberal government of Canada has the power to change the Criminal Code to reinstate such public nudity as an offence;

"We, the undersigned, respectfully petition the government of Ontario to continue to urge the government of Canada to pass legislation to ban going topless in public places."

I am pleased to add my name to the signatures.

EDUCATION REFORM

Mr Gerard Kennedy (York South): This petition was signed by 349 students to protest the destruction of our education system by Bill 160.

"We are asking that the Harris government to withdraw Bill 160 immediately. Bill 160 will not help our education, it will only hinder it. Anything that you and your colleagues can do to stop this bill from becoming law will be appreciated not only by the students at West Toronto Collegiate but by students all across Ontario.

"To the Legislative Assembly of Ontario:

"We, the students of West Toronto Collegiate, feel Bill 160 will hinder education and that the teachers' concerns about this bill are valid."

This is signed by Kathryn Cooper and 348 other students whom I commend for expressing themselves today, and I add my signature to theirs.

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton Centre): I have a petition signed by members of CUPE Local 79, who are taking a workplace health and safety course, level 2, and therefore are aware of the issues.

"To the Legislative Assembly of Ontario:

"Whereas approximately 300 workers are killed on the job each year and 400,000 suffer work-related injuries and illnesses; and

"Whereas the government of Ontario continues to allow a massive erosion of WCB prevention funding; and

"Whereas Ontario workers are fearful that the government of Ontario, through its recent initiatives, is threaten-

ing to dismantle workers' clinics and the Workers' Health and Safety Centre; and

"Whereas the workers' clinics and the Workers' Health and Safety Centre have consistently provided a meaningful role for labour within the health and safety prevention system; and

"Whereas the workers' clinics and the Workers' Health and Safety Centre have proven to be the most cost-effective prevention organizations funded by the WCB;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to immediately cease the assault on the workers' clinics and the Workers' Health and Safety Centre; and

"Further we, the undersigned, call upon the Legislative Assembly of Ontario to ensure that the workers' clinics and the Workers' Health and Safety Centre remain labour-driven organizations with full and equitable WCB funding and that the WCB provide adequate prevention funding to eliminate workplace illness and injury."

I'm proud to add my name to theirs.

1510

ROCK MUSIC GROUP

Mr John R. Baird (Nepean): I have another petition submitted, this time by Mr Henk Bruggink of Nepean, which reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the rock band Marilyn Manson was permitted to play a concert at the Ottawa Congress Centre on Friday, August 1, 1997; and

"Whereas Marilyn Manson's wilful promotion of hatred, violence, immorality and obscenity has been linked to teen suicides and adolescent crimes across North America; and

"Whereas by allowing Marilyn Manson to perform, the Ottawa Congress Centre, a crown agency with a public mandate, helps to legitimize the band and its unethical messages; and

"Whereas the Ontario Court (General Division) has ruled that Marilyn Manson's music does not meet the definitions of obscenity or hate literature in the Criminal Code;

"We, the undersigned, petition the Legislative Assembly of Ontario to call on the Liberal government of Canada to amend the Criminal Code in order to ensure that Marilyn Manson and other people directing messages of hate and derision towards vulnerable children and youths are not permitted to perform in Canada, and to ensure that messages which offend the moral and ethical sensibilities of Ontarians are not given a voice at venues financed by the taxpayers of Ontario, including the Ottawa Congress Centre."

I affix my own signature thereto.

HOSPITAL RESTRUCTURING

Mr Dwight Duncan (Windsor-Walkerville):
"Whereas tomorrow morning the Health Services Re-

structuring Commission will be presenting its preliminary findings to the people of Windsor; and

"Whereas Windsor-Essex county was the first community to undergo hospital restructuring; and

"Whereas the community supported the recommendations of the Win-Win report based on a funding model that included the expansion of community-based care; and

"Whereas recent reports estimate that Windsor-Essex hospital expenditure is underfunded by approximately \$122 per person; and

"Whereas this represents the lowest funding per capita for hospital services of any community in Ontario with a population of over 200,000; and

"Whereas hospitals across the province have been forced to further reduce expenditures 18%; and

"Whereas these cuts have forced hospitals to eliminate emergency services in the west end of Windsor and other desperately needed services; and

"Whereas the minister acknowledged that additional funding was necessary in high-growth areas;

"We, the undersigned, petition the Legislative Assembly of Ontario to call on the Minister of Health to provide appropriate levels of health care funding to Windsor hospitals which would allow Windsor Regional Hospital to provide urgent care services for the west-end community and to restore equitable health care funding across Windsor and Essex county."

I join thousands of my fellow Windsorites and people from Essex county in signing this petition.

Mrs Marion Boyd (London Centre): I have a petition to the Legislative Assembly of Ontario.

"Whereas over half the people in Ontario are women;

"Only 5% of the money spent on medical research goes to research in women's health;

"Women have special medical needs since their bodies are not the same as men's;

"Women's College Hospital is the only hospital in Ontario with a primary mandate giving priority to research and treatment dedicated to women's health needs;

"The World Health Organization has named Women's College Hospital as the sole collaborating centre for women's health for both North and South America;

"Without Women's College Hospital, the women of Ontario and of the world will lose a health resource that will not be duplicated elsewhere;

"We, the undersigned, petition the Legislative Assembly of Ontario to ensure the continuance, independence, women-centred focus and accessible downtown location of the one hospital most crucial to the future of women's health."

This is signed by hundreds of people from all over Ontario and I'm proud to affix my signature.

COURT DECISION

Mr Frank Klees (York-Mackenzie): I'm pleased to rise today to present petitions presented to me by concerned citizens of my constituency: Corinne Mariani of Newmarket, Mr and Mrs Harold Sellers of Newmarket,

Deborah Vereecke of Tottenham and Mr Danny Howell of Midland. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Ontario Court of Appeal has ruled that women have the lawful right to go topless in public; and

"Whereas the Liberal government of Canada has the power to change the Criminal Code to reinstate such public nudity as an offence;

"We, the undersigned, respectfully petition the government of Ontario to continue to urge the government of Canada to pass legislation to ban going topless in public places."

I'm pleased to add my signature to this petition.

GASOLINE PRICES

Mr James J. Bradley (St Catharines): I have a petition to the Legislative Assembly of Ontario.

"Whereas since Mike Harris took office consumers across Ontario have been gouged by the large oil companies who have implemented unfair and dramatic increases in the price of gasoline; and

"Whereas this increase in the price of gasoline has outpaced the rate of inflation by a rate that is totally unacceptable to all consumers in this province because it is unfair and directly affects their ability to purchase other consumer goods; and

"Whereas Premier Mike Harris and ministers within the cabinet of his government, while in opposition, expressed grave concern for gas price gouging and asked the government of the day to take action; and

"Whereas the Mike Harris government could take action under Ontario law and pass predatory gas pricing legislation which would protect consumers, but instead seems intent on looking after the interests of the big oil companies;

"We, the undersigned, petition Premier Harris and the government of Ontario to eliminate gas price fixing and prevent the oil companies from gouging the public on an essential and vital product."

I affix my signature to this petition as I'm in complete agreement with its contents.

ORDERS OF THE DAY

WORKERS' COMPENSATION REFORM ACT, 1997

LOI DE 1997

PORTANT RÉFORME DE LA LOI SUR LES ACCIDENTS DU TRAVAIL

Mrs Witmer moved third reading of the following bill:

Bill 99, An Act to secure the financial stability of the compensation system for injured workers, to promote the prevention of injury and disease in Ontario workplaces and to revise the Workers' Compensation Act and make

related amendments to other Acts / Projet de loi 99, Loi assurant la stabilité financière du régime d'indemnisation des travailleurs blessés, favorisant la prévention des lésions et des maladies dans les lieux de travail en Ontario et révisant la Loi sur les accidents du travail et apportant des modifications connexes à d'autres lois.

Hon Elizabeth Witmer (Minister of Labour): I would simply like to begin the third reading debate of Bill 99 by making some very brief remarks and indicating that I will be sharing my time with the member for Niagara Falls and the member for Northumberland.

It's with a tremendous amount of pleasure that I speak today. If Bill 99 is passed today, the Workplace Safety and Insurance Act will be the final step in the complete overhaul of the workers' compensation system. For seven and a half years, since our government first adopted a policy on WCB, we have been working under the leadership of Premier Harris to achieve our goal of refocusing the system towards prevention of workplace injuries and illnesses, to restoring the financial viability of the system, to refocusing the system as a workplace insurance plan and to getting injured workers back to work in a safe and timely manner.

I'm pleased to say that as a result of the changes that have been made to the workers' compensation system, we will be able to achieve all those objectives. I am particularly pleased that the board's mandate has been expanded to include prevention of workplace injuries and diseases and the promotion of health and safety, because I believe people in this province will be the ones who are the beneficiaries of this change in the mandate of the WCB. It will certainly enhance their quality of life as we see fewer injuries in the workplace and less in the way of disease. Certainly our policy as far as fatalities are concerned is zero tolerance.

1520

At this point in time, having been the critic for labour for five years and now having been responsible for the WCB these past two and a half years, I simply want to express my sincere appreciation to the thousands of groups and individuals who have worked with us to ensure that the overhaul of the act was done in a manner that reflected the varying viewpoints, that took into consideration the unique needs of all of the stakeholders. I believe that we have a system now in this province that will be sensitive to injured workers but obviously also responsive to the needs of the employers who fund the system.

I'd also like to particularly thank my parliamentary assistant, Bart Maves, who has certainly done an outstanding job in dealing with this legislation.

I'd also like to express my appreciation to all those others on the committee who sat for many days in the committee hearings and very carefully took note of all the input that was provided and made recommendations for the changes. As you know, there were some very significant changes made, which again reflected the input we had received. Of course, the two changes were the fact that we were now going to be compensating those widows who had not been compensated before and the fact that we're

going to take a look at the issue of chronic pain, in order that we can gather all of the data and ensure that our policy reflects the scientific data that will be available to us.

I'm pleased that we are in the final stage of Bill 99. I also want to thank the opposition critics, Mr Patten and Mr Christopherson. Certainly they brought their points of view to the table. They represented their constituents and their stakeholders extremely well, and I appreciate the fact that they have been able to do so. So it's with a lot of pleasure that I stand here today and look forward to the passage of Bill 99.

The Deputy Speaker (Mr Gilles E. Morin): Questions or comments?

Mr David Christopherson (Hamilton Centre): I think that because they are splitting the time, you may want to wait until they are fully concluded.

Mr Bart Maves (Niagara Falls): It is a pleasure to rise today to speak to third reading debate on Bill 99. I'd like to touch upon several items in my comments on the bill. I also want to leave some time for the member for Northumberland, who would like to make some comments himself.

The first thing I would like to touch upon is something that came up quite a bit during hearings on the bill and prior to the bill, something that comes up actually on most bills that this government, and really every other government, ever brings through the legislative process, and that is the process itself.

Quite a bit of discussion and time were spent on whether or not the process was one of enough consultation. I know you've heard that before, and as I said, it happens on most bills. I said several times, and will repeat again today, that, in fairness, the Liberal government brought in legislation in 1989, I believe it was. They had hearings and consultation around that. The NDP government did consultation and hearings and brought in a bill in 1993. It was revealed to me during the hearings that Mr Mahoney himself and the Liberal Party did quite a bit of consultation on the workers' compensation system. His consultation ended up in the red book and the position the Liberal Party took on workers' compensation during the last campaign.

There was the work of the royal commission that was taken into consideration. Mrs Witmer, as she said, was for five years the critic for labour and she worked very diligently on the subject matter for those five years. Cam Jackson, the minister responsible for workers' compensation, did consultation and wrote an excellent paper on workers' compensation reform wherein he spoke with over 150 injured workers and received upwards of 200 written submissions. Bill 99 was based on all of that input over all of the previous decade.

Bill 99 was introduced, I believe, in November 1996 and was out there for quite some time. We had several days of debate in the Legislature and then we put it out to four days of hearings in Toronto. We went to five cities for hearings and then we came back again to Toronto for another four days of clause-by-clause analysis and debate.

I think that shows the amount of time and consultation that has gone into reform of this system over the last decade, and I think it was substantial.

One thing that has been made clear since I've been in office, and before being in office, before many of the members were here, is that there was a great deal of need for change in the system. I think that's why there was so much consultation on the workers' compensation system over the years.

I'd like to read into the record some quotes from a few people from other parties which I think clearly demonstrate that all parties on all sides of the House have agreed there's a great deal of need for change.

The first quote I'd like to read into the record is from the NDP labour minister, Bob Mackenzie, when he talked about Bill 165:

"There is a growing feeling that the WCB is becoming a drain on Ontario's economy, on our ability to attract investment and jobs and spark business confidence. Never has there been such unanimous agreement that the board is in such critical need of reform and renewal. Our goal is a future where workers can count on fair and reasonable compensation for workplace injuries and a future where employers get top return on their investment dollars.

"Never in its 80-year history has the board been the subject of such scrutiny and review. The status quo represents an enormous economic and moral waste of human potential and expertise."

Clearly the previous NDP labour minister noted the need for reform.

The NDP labour minister who followed Mr Mackenzie was Shirley Coppen. She said subsequently:

"We have to get the unfunded liability under control because it threatens the whole system. I have to take my responsibility as minister seriously and take the interests not only of injured workers but of businesses which fund the system into consideration."

I think it's relevant that we look back at some of the history there and say that the previous government recognized the need for reform of the system.

As well, the opposition party, when they were in opposition — as I said, Mr Mahoney did his own consultation and came up with what eventually was the campaign platform on WCB which went into the red book. I'd like to read from that red book, if I could, page 9. This is the Liberal Party, now the opposition:

"Ontario's workers' compensation system is a mess. High premiums are chasing away investment and jobs. The unfunded liability is out of control, soaring by \$2 million a day. Workers receive a deplorable level of service from a system that doesn't focus enough attention on getting them back to work. The WCB is failing both the employers who pay for it and the injured workers it is supposed to serve."

Again, that was from the Liberal red book.

I think you can see all the consultation that was done over the years that I've mentioned. The quotes I've just read into the record from members from all sides of the

House clearly show that there is a need for reform and many problems with this system.

The next thing I'd like to speak about is a change of direction that Bill 99 brought in for the Workers' Compensation Board, now the Workplace Safety and Insurance Board. This change of direction was really to move the board into an era where it would be the principal architect of health and safety in Ontario. We need to improve health and safety. We don't really want to see anyone in this system, because we can avoid that by increasing prevention, and that is a new mandate of this board.

1530

If you read from the purpose clause of the bill, you would see that the very first purpose of the system now is, "To promote health and safety in workplaces and to prevent and reduce the occurrence of workplace injuries and occupational diseases." That's extremely relevant, the change in the direction of the board itself.

In the new functions that have been assigned to the board, again it is very clear now that the board is responsible for prevention and education. Let me read a few of those. The functions of the board include:

"1. To promote public awareness of occupational health and safety.

"2. To educate employers, workers and other persons about occupational health and safety.

"3. To foster a commitment to occupational health and safety among employers, workers and others.

"4. To develop standards for the certification of persons who are required to be certified for the purposes of the Occupational Health and Safety Act and to approve training programs for certification.

"5. To certify persons who meet the standards.

"6. To develop standards for the accreditation of employers who adopt health and safety policies and operate successful health and safety programs.

"7. To accredit employers who meet the standards....

"9. To provide funding for occupational health and safety research," and to make public that research, which is something that was amended to the bill later on in a different section.

What I want to say about this is that when we started off, we removed the Workplace Health and Safety Agency and its responsibilities for overseeing the safe workplace associations and the training centres and the medical centres, and we've given this to the board. The board previously funded the Workplace Health and Safety Agency and those agencies underneath it. The Provincial Auditor said in 1994, I think it was, that the WHSA was absolutely ludicrous in the way they spent money, that there was no accountability to the WCB, that there seemed to be no coordination in our entire occupational health and safety system and the different bodies that were there to administer it in Ontario.

By putting them all now under the WCB, these agencies will be more accountable to their funding agency, which is the WCB. They will be better able to see to it that their activities are coordinated and that occupational health and safety in Ontario continues to improve.

Again, the WCB, the new board, will now take over from the Occupational Disease Panel responsibility for research. Prior to 1985, you should know, there was no requirement for occupational disease research in Ontario. The Occupational Disease Panel was given that responsibility. But even members of this panel themselves came forward and said the system wasn't working because quite often even the bipartite board that the previous NDP government brought in would ignore the advice, they would ignore the studies, that the ODP brought in, and often do their own duplicate studies. So that was a problem.

Now with this bill, as in every other province, the board that will fund occupational disease research is responsible for that research. But they will do this, I must tell you, in conjunction with employers, employees, research hospitals, universities, the Institute for Work and Health, and others.

At the beginning of the process, the minister made a clear announcement that under this new system of occupational disease and research, there would be increased funding for research. There was a commitment made that it would go from \$5.5 million, I believe the figure was, that is currently spent right now in total to \$12 million on research by the year 2000. I think that's something of note.

As well, I must note that the WCB is taking this preventive role, this coordinative role, quite seriously. They have already set a goal to reduce accidents in Ontario by 30%. I think that's laudable. It's very important to set goals that we can shoot for, and preventing and reducing the amount of injuries that occur in Ontario is vital, so I applaud them for that. My understanding is that they have recently hired a vice-president of a prevention program who will report directly to the CEO of the board. I think that also is vital and shows the importance that they know they now have in the system in preventing injuries.

I also want to commend the minister. She brought in the youth awareness program and the safe communities project, which are there to help educate people about hazards in the workplace. The youth awareness program is particularly important because it says to kids in high schools, before they get out in the workforce: "Here are some of the hazards in the workplace. Here are some of the things you should be aware about." I think that's absolutely vital.

I also want to speak quickly about the minister's record. When she came in as minister she said that within the streamlining that occurred in the ministry, one area that was vital in her mind was inspections, that inspections of workplaces would not drop off. In fact, she has increased the amount of inspections done across Ontario dramatically. One way she has done that is to have a few blitzes of different workplaces around the province.

Recently in Windsor, the minister undertook a blitz of some of the manufacturing facilities. In that blitz, more than 800 orders were issued in just one month. A team of six inspectors made 312 visits to companies in the Sandwich South township area. It resulted in 98 new companies being registered under the act and 825 orders to

remedy unsafe conditions being issued. I think that's a good example of her commitment to health and safety.

Similarly, she undertook a blitz, a forklift campaign in Ottawa, where more than 2,600 orders were issued in the Ottawa area during a six-month blitz by the ministry.

In almost 55% of the 1,500 visits by ministry officers to workplaces, at least one order was issued under the Occupational Health and Safety Act. It's important that those inspectors continue to do that job. I must tell you that the minister hired 20 new inspectors. These were vacancies that hadn't been filled by the previous government. One of the first things the minister did was get to work on hiring those 20 new inspectors. The ministry is now currently looking for another 33 inspectors because that is a vital role, and the minister has acknowledged that, for her ministry to play.

I think these statistics are extremely important to note. Overall, inspections increased 51% during the past fiscal year, and there was also a 51% increase in the number of orders issued. This reverses the trend of declining inspections of the previous government. With the changes we are implementing, we expect further increases in the number of inspections this year. In addition, 128 convictions were obtained, resulting in total fines of \$2.3 million in 1996-97.

I think that commitment — the new orientation of the board to be responsible for prevention, the commitment of the board to reduce injuries, and the commitment of the ministry and the minister herself to inspections — is something that we really need to note.

I think another thing all members of the House will agree on is that there needed to be some improvement in service delivery. Every single one of us has had many people come into our offices with complaints about the WCB, and most of the complaints surround service delivery. When this government changed the previous board of directors, it was a bipartite board which was locked in a struggle and couldn't make many decisions. They had increased substantially the amount of money that was being spent on administration, and there needed to be a new focus, the board itself.

The minister did bring in a new board. It was a multi-talented board with people with labour experience, people with employer experience, people with insurance industry experience, and people with actuarial experience. The board has made several significant improvements already. For instance, in the first year they reduced administrative costs by \$18 million. That's a substantial amount of savings and they are to be lauded for that.

They also brought in new managers of the investment fund. These are assets at the WCB that are supposed to stay there, supposed to grow over the years and provide revenues into the system. It's a capital fund that should never be touched. It has been in recent years, and that indicated part of the financial problems at the board. It's like dipping into your RRSPs really to pay today's current costs. That had to be stopped. It has been stopped. There are new managers of that fund, and the fund has grown substantially over the past few years.

1540

I think this is relevant. Forgive me if I read a bit of this into the record, but I think it's very significant for anyone watching at home, anyone within the WCB system right now, to know that the WCB is undertaking a reorganization which is going to help with service and staffing. It's going to improve service delivery. This is vital.

The service delivery model will consolidate both claims management and employee revenue administration, including appeals within one division, in order that customers can get one-stop shopping. We now are going to have an adjudicator, a nurse case manager and a customer service representative assigned to each case.

One of the criticisms that always comes out about the WCB service delivery is that it doesn't seem that any one person has responsibility for a claim. The WCB has understood this problem and now the adjudicator role is being consolidated so that one adjudicator is responsible from beginning to end in a lost-time claim.

A new customer service representative: A lot of people have problems with cheques, different amounts, when they're late. There are always problems with that. A new customer service representative will act as an account manager, and that person will be responsible to ensure that both injured workers and employers receive the information and services they need.

Finally, the third person on this team would be a nurse case manager. That nurse case manager will be assigned to injured workers to ensure that they receive the best medical care at the right time, to ensure full recovery and early and safe return to work.

That's an important thing to note, that it's been heard loud and clear that one of the biggest problems at the board is service delivery itself. I think the board is now undertaking in earnest to address that problem.

There is much, obviously, in the bill, much discussion about rates and benefit levels. The benefit level used to be 90% of net and it has been reduced to 85% of net. This is in line with many other provinces around the country. It reduces some overcompensation problems that could come up in some cases. I would note that the Liberals noted this also in their red book. It improves the incentive to return to work for some who might otherwise be hesitant to do so.

As Mr Christopherson I believe will say later on — he's said several times that this reduction in benefit levels is just there to pay for a reduction in premiums to employers. He makes the claim, as he will I'm sure today, that this is unfair. The one question I guess I have to ask Mr Christopherson and those in his party is, why was it fair for them to reduce premiums by 21 cents between 1992 and 1993, and a year later bring in changes, brought in the Friedland formula to reduce the unfunded liability by \$18 billion? It was much the same scenario.

If you look back over several years of the NDP in office, the average actual rates did decline. As I said, then they turned around and brought in the Friedland formula which did reduce some of the benefit levels and the inflation indexation. If it was okay then and if his party saw the

need for that then, it's strange why they don't also see it now.

I think it's also fair to point out that over the years, especially in the 1980s, rates for premiums went up dramatically. Year after year they went up dramatically, until, as I said, when the NDP got in they did halt some of that rise in premiums. They still were quite high. They had gone up, previous to that, very dramatically. Many employers over the years have said to us and said to the previous NDP government — and that's perhaps why they reacted the way they did — that it was hampering their ability to create jobs, not only the system itself, the amount of red tape involved, but those crushing premiums.

Now with some lower premiums, some relief there, they're more reasonable. Job creation is increasing, as you can see, and now, with about 300,000 net new jobs since June 1995 in Ontario, I think there is more choice, more jobs opening up for injured workers to go back to if they couldn't get their previous job.

As I said before, all three parties have agreed that there were some fiscal problems in the system. The previous government was taking money out of an asset fund to pay current liabilities, something that is really a no-no in a pension fund or an insurance fund. There were some problems.

A lot of people have said, "Why not get that from the employers?" I must tell you, Bill 99 and the previous Bill 15 did address this problem. In fact, this government increased penalties to employers who violated the act. For instance, if someone doesn't report an injury, it's illegal under the act; the previous fine was \$25,000, but we've increased that to \$200,000. Also, Bill 99 makes employers pay fully the costs of the administration of the Occupational Health and Safety Act. Previously, there was a cap on how much employers would pay towards the administration of the act. We have removed that cap. WCB will no longer be responsible for paying that out of its revenues; the entire amount will come from the employers.

Also, two major changes in the act were very relevant. The board's ability to collect outstanding premiums will be strengthened by permitting the board to request payments in advance, to revoke coverage when there is a default and to set off the amount owing from the payments the person is entitled to receive under the plan.

Successor employers who purchase a business or assume a business will now be held responsible for amounts owing to the board. Previously, it was felt that the odd company would undergo a sale, would transfer ownership in some way in order to get out of their debt owing to the WCB. We've now changed that so that a successor employer is responsible for that debt. They need to know about that debt before they try to purchase a firm or take over a firm.

Those are some good examples of how we're trying to make sure that the money that should be coming into the board does come into the board from employers.

Just a couple more things here before I finish up.

Mr Christopherson: On a point of order, Speaker: I raise it now because I'm mindful of the time. The member

will know that on Monday we had unanimous consent to split the time that was available because of this time allocation, and at 5:45 the debate is over. We agreed to split it three ways. I've just spoken to the government member and the official opposition and there have been staff calls in the background. It's my understanding that this is also agreeable again today, so I would ask you to ensure that we set the clock appropriately to reflect the fact that all three parties will split evenly the time available this afternoon, as we did on Monday with Bill 136.

The Deputy Speaker: Is it agreed? Agreed.

Mr Maves: Speaker, what kind of time does that allow us to finish up?

The Deputy Speaker: I'll find out in a minute.

Mr Maves: I'm going to continue, Speaker. I'm almost done my remarks anyway.

1550

Mrs Marion Boyd (London Centre): On a point of order, Speaker: I don't believe we have a quorum.

The Deputy Speaker: Would you please check if we have a quorum.

Acting Clerk at the Table: A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

Acting Clerk at the Table (Ms Donna Bryce): A quorum is now present, Speaker.

The Deputy Speaker: The member for Niagara Falls.

Mr Maves: I take it, Speaker, that 18 minutes is the time left for the government caucus. I will try to leave some time for Mr Galt, but I want to say a few more things that I think are very relevant.

During the hearings, especially the last day — this is why I was very concerned about this; I want to get this in — we had a presentation from OPSEU. OPSEU had a document that had a lot of the myths about Bill 99 in it, things that, during the hearings, we had been able to say, "No, that's not true." When an organization like an OPSEU comes forward, after the bill has been out for such a long time and after the hearings have been ongoing and debate in the House, I think it's very important that I lay some of the myths to rest so that some people who might have heard those myths will maybe have their mind set at ease.

The first one that we heard all the time was that the employer decides whether an injury has occurred or whether a claim is valid. This is not true at all. The WCB adjudicator decides this. As I said earlier, it's illegal for an employer not to report an injury. This could result in a possible \$100,000 fine.

Another myth was that the employee has to get a claim form from the employer. This is not true either. The claim forms are available through your employer, through the employees' union, through the WCB, doctors, and hopefully many other sources.

The next one was that the doctor must give out private medical information of the injured workers to an employer. It's not true. What we talked about was a functional abilities form. The WCB had a sample of that out in public to be talked about. The functional abilities form:

There are not diagnostic things on the form. They speak of the physical limitations caused by the injury so that return to work, which is a major part of the bill, is informed and safe. We heard from many unions out there who already have return-to-work programs and have functional abilities forms. I can tell you their forms were very similar to the forms WCB has, so I want people's minds to be at rest about that.

Another crazy one that was out there, just an awful premise, is that the WCB can do experimental surgeries and force experimental drugs on injured workers. This is absolute nonsense. There is a clause in the bill, brought forward from the previous bill, which talks about the WCB and the responsibility for an injured worker to participate in a health program, to get them healthy and back to work. It's just nonsense to let anyone think that if they go on WCB, they're now going to be subject to experimental drugs or surgeries. I want people to have that out of their minds.

Another myth is that the unfunded liability is not a problem. The Provincial Auditor clearly says it is, a neutral party. All three parties in the House have done things, said things, brought in legislation to address that. It is still a problem.

The next one is that the government is killing the Occupational Disease Panel and not doing research on occupational disease. I mentioned this quickly before, but the government is putting the Occupational Disease Panel under control of the WCB and is actually increasing the amount of money that's going to be spent on research, from \$5.5 million to \$12 million by the year 2000.

Another myth is that Bill 99 takes away coverage for people with repetitive strain injuries. That's completely false.

That Bill 99 imposes a three-day waiting period for benefits is again completely false.

Another myth: Bill 99 removes mental stress as a compensable injury. Mental stress has never been a compensable injury under the WCB policy under any government, so it really didn't remove it; it just put into legislation what has been the policy all along.

Last, I think there's going to be support on both sides of the aisle for this bill in its final form. The reason for that — and I want to draw your attention to the Liberal red book, specifically page 11, where they made their campaign platform on WCB, where they would go if they were elected. I want to just read some of this to you. You and the people at home will realize that Bill 99 does, or we have already done, just about everything the Liberals said they would have done in their red book. For instance:

"Freeze WCB rates paid by employers." Done and gone one better.

"Change the makeup of the WCB board of directors to make it less partisan and more accountable to a wider range of stakeholders and the people of Ontario." Done.

"Improve the administration of the WCB by hiring a chief executive officer with a strong background in accounting and the administration of insurance." Done.

"Speed up the time it takes to process claims by better training adjudicators...and streamlining the appeals process." Done.

"Create a WCB return-to-work department that will help clients develop individual return-to-work programs." Done in 1999.

"Cut down on fraud by creating an investigative internal audit department that will signal zero tolerance for fraud and investigate all allegations." The board is doing that right now under their own operational aegis.

"Put the WCB on a sound financial footing by eliminating overpayments to injured workers, cutting administrative costs, and improving the rate of return on the investment portfolio by hiring private sector money managers." Done.

"Disband the Workplace Health and Safety Agency and put it under the WCB." Done. So I'm sure there are many members across the aisle who will support the bill.

The last thing I would like to say about that is that here's a question, TVOntario, November 28, 1996, on Studio 2, the Liberal Party leadership debate. The question to Dalton McGuinty, now the leader of the Liberal Party, was: "Dalton, the Conservative government is making changes to workers' compensation. Would you keep them?" His response was, "Yes, I'd keep those changes." "Would you bring the rates down?" "Yes."

It's clear that the Leader of the Opposition supports the bill. I think many people in his caucus are going to support the bill because it's completely in line with what they've said in their red book. I want to thank members for their time and their patience and hand over the floor to Mr Galt.

Mrs Marion Boyd (London Centre): On a point of order, Mr Speaker: I don't believe we have a quorum.

The Deputy Speaker: Would you please check if we have quorum.

Acting Clerk at the Table: Speaker, quorum is not present.

The Deputy Speaker ordered the bells rung.

Acting Clerk at the Table: Speaker, quorum is now present.

The Deputy Speaker: The member for Northumberland.

Mr Doug Galt (Northumberland): Thank you very much for the opportunity to speak on Bill 99, the Workplace Safety and Insurance Act. It's a bill that certainly has been a very emotional bill. It created an awful lot of concern among members both in opposition and in the government. But this is a very positive approach to the whole issue. As you look at the name of the bill, the old bill, the WCB, the Workers' Compensation Act was looking more at the negative and compensation after accidents occurred.

It's very obvious that reform was indeed necessary. There were many things over the years, some 83 years. There have been no new acts since the original act came in, although there have been some adjustments. A massive debt of some \$11 billion of unfunded liability has evolved to become a job-killing payroll tax. There has been all kinds of maltreatment of injured workers, both from non-

support and also from oversupport. I think every member in this House has heard about the various kinds of problems when people come into their offices about the kind of service they've received as injured workers.

We've had problems, and certainly both opposition parties have talked about the bloated bureaucracy of the organization. They've recently built a big, fancy new headquarters worth millions of dollars.

This present act, which was developed in 1914, I think was probably just an excellent act at the time it came out. But when you work your way down the road some 83 years, certainly change is necessary. That was certainly true. We recognized it some time ago in our Common Sense Revolution on both pages 3 and 15. In the summary on page 3: "Cut WCB premiums for all employers by 5%." That was to create jobs. Then looking at "Cutting Workers Compensation Board Premiums" on page 15: "WCB premiums will be cut by 5%. This will save Ontario employers an estimated \$98.5 million."

1600

Mr Dan Newman (Scarborough Centre): On a point of order, Madam Speaker: Is there a quorum present here?

The Acting Speaker (Mrs Marion Boyd): Check to see if there is a quorum.

Clerk at the Table (Ms Lisa Freedman): A quorum is not present.

The Acting Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

The Acting Speaker (Ms Marilyn Churley): Member for Northumberland.

Mr Galt: I'm running out of time. To give as much time to others as possible, I just want to wind up with a few closing remarks about what these reforms mean for Ontario workers. The reforms are going to mean that there will be safer workplaces for employees, there will be faster and safer return-to-work programs in place and there will be more secure benefits and better services. It ensures that employers will be able to fund the system in a more fair and equitable manner. That certainly, we understand, hasn't been the way in the past. The new board will have increased powers to go after those who try to avoid financial obligations. There will be new incentives to encourage employers, such as to help employees return to work faster and, second, to invest in health and safety programs. Finally, it will ensure that Ontario workplaces are among the safest in the world.

The Acting Speaker: Further debate?

Mr David Turnbull (York Mills): On a point of order, Madam Speaker: I believe it was previously suggested that the time should be split equally between the three parties. I want to put everybody on notice of the fact that we have completed our debate and would offer up the rest of the time remaining to be split equally between the two opposition parties so they will have a little more.

The Acting Speaker: Is that agreed? Agreed.

Mr Dwight Duncan (Windsor-Walkerville): That's very generous of the government. It's too bad 1,200 delegations couldn't be heard on the bill in public hearings and

that you didn't show that kind of generosity to injured workers right across this province.

Interruption.

The Acting Speaker: Member for Windsor-Walkerville, take your seat a moment. I have to remind the visitors in the gallery that the rules are very clear: You can't clap or make any noise whatsoever.

Interruption.

The Acting Speaker: I just want to remind people that you cannot speak or clap. Those are the rules of the House. At some point, if you keep doing that, I'll have to clear the gallery, so please try to control yourselves.

Mr Duncan: I'm pleased to join the debate on this draconian bill on behalf of the official opposition. The member for Northumberland said this is the first time the bill has been rewritten since 1914. I find that very interesting. He wouldn't know this, because the people who write what he says in the back rooms wouldn't have told him that as recently as 10 or 11 years ago we had a major rewrite of the bill. That bill was Bill 101, which was introduced by the Davis government, and it was implemented by the Peterson government. That bill provided for a complete overhaul of the WCB system and addressed in a meaningful manner many of the concerns and complaints and issues that had been raised. That's not to say that the system it produced was perfect, but to suggest that there had never been reform in the system is, in my view, understandable coming from the member, because he can only read what is put in front of his eyes, without taking the time to study or understand the issues.

Yes, this is a complete rewrite of the act, but it's certainly not the first and I can tell you it's certainly not the last, because in a year and a half's time we will go back at this and we will fix the system that you've broken.

The member for Niagara Falls distorted, took out of context and didn't address completely the position of the official opposition. First, he's right: We said we would freeze premiums. We would not cut premiums. We would not cut them because we did not want to have to inflict \$15 billion in cuts on injured workers. Second, he spoke about the Occupational Disease Panel. I'll remind him that we implemented that in 1986.

The member spoke about comments our leader made, again taking them out of context. He was referring to, if the member had quoted completely, certain aspects of Bill 15. If he had bothered to get the rest of the quotes, he would have found that what he said took out of context and distorted the position of our party and our leader. But I'm not surprised; this government has mastered that art, mastered the art of misuse of information, distortion and attempting to take the facts of a situation out of context and try to put them in a context that defends a position that's absolutely indefensible.

This bill, in our view, is a backwards step for injured workers and a backwards step for the province of Ontario. This government has reduced benefits of injured workers from 90% of net pay to 85%. The member from Niagara Falls would not have pointed out that we said specifically

we would not do that. I can tell you that this will be revisited in a year and a half.

The government took it upon itself to reduce employer assessments by 5%. What that tells us — and yes, we agree that an economic climate has to take into consideration payroll taxes. I listened attentively today as the Minister of Economic Development, Trade and Tourism responded to a question with respect to a study by KPMG. The minister and the government will also be aware of a similar study that was done a year ago by the federal government that found that Ontario's payroll taxes were in fact very competitive when compared on a city-by-city basis, that our payroll taxes were competitive, in fact better than the payroll taxes in many southern American jurisdictions.

To somehow suggest that the price of having a fair compensation system is a less efficient economy first of all can't be justified by the statistics, and second, points very well to what the priorities of this government are. The priority is not with injured workers; the priority is not with the vulnerable. The priority is, even when you have a large unfunded liability — and yes, we agree, as previous governments have agreed, that the unfunded liability had to be dealt with. It had to be dealt with to protect injured workers; it had to be dealt with to protect future pensions. But you don't do it by giving away \$6 billion in premium refunds and at the same time take away \$15 billion from injured workers. You've got your priorities all wrong. Yes, a freeze on premiums was appropriate, and yes, we would have done that. We would not have gone from 90% to 85% and we certainly wouldn't have attacked pensioners the way this government has attacked them in this bill.

1610

The bill goes beyond simple dollars and cents, because you don't take into account the effect this has on the lives of people, people right across this province. I've had the opportunity over the last two years to meet with injured workers in places as diverse as Thunder Bay and Tilbury, here in Metro, in my home community of Windsor, in Ottawa, Oshawa, Niagara Falls. You have taken away and eroded the rights of these injured workers, not only to fair compensation — and let me remind you that when you're on compensation you've been injured at work. You can't work. These are people who want to work; these are people whose quality of life has been reduced.

Even if you take money out of the picture, their injuries and their suffering are significant enough that they're not able to be in the workplace, many of them for the rest of their lives. Yet this government thinks nothing of trampling on them in the interest of efficiency, in the interest of eliminating an unfunded liability, but at the same time they give \$6 billion away in employer assessments.

They've eliminated the rights by placing limits on chronic occupational stress, which will no doubt open the door to significant court challenges. We heard that time and time again from lawyers in the field, from people who understand the workings of the system. But the government didn't want to listen, just as they don't want to listen today.

We see these little examples: "We're generous. We'll give you an extra three-and-a-half minutes for each opposition caucus." Nice try, gang. I'll tell you something. You can keep those people quiet today in the chamber because they're polite, but they know what you've said and done. They understand what this is all about and they understand what you're all about. You're all about a narrow agenda that doesn't see a broader picture. If you're really interested in the unfunded liability, then don't give away \$6 billion to the people who pay into it — if that's your priority.

Yes, we would have made changes to the composition and structure of the board, and yes, we would have dealt with fraud, both employer and injured worker fraud. You left that out when you talked about it, but again, we're not surprised. We're used to it: half truths, half-baked arguments, ideology, blinders, "too far too fast" — words that will come back to haunt you in a year and a half, words that will see your government chased so far over the hills of damnation you won't know what hit you.

Injured workers, teachers, firefighters, police, doctors, lawyers — all those special interest groups, all those whiners, all those people who milk the system, all those people who take advantage of hardworking taxpayers. Well, every one of them is a taxpayer.

We have historically evolved a system of compensation in this province that's fair, not perfect, and this government chooses to take us back not only 10 years but to take us back a generation or two.

I had to laugh. The member for Niagara Falls talked about the new chair of the WCB. You know what he did before he that, don't you? He was the wagon master on Mike Harris's campaign bus, from the life insurance industry. I had a chance to question him when he was appointed. I asked him about the unfunded liability the day he was appointed. You know what? He didn't know what it was. He didn't know the amount and he didn't know the calculation of it. You wanted to put in a chair who would follow your political marching orders. You've gotten rid of people who questioned you. Let me tell you once again, those things will all change in a year and a half. A year and a half is not that long from now.

I enjoy the fact that the government says it is fundamentally changing the primary emphasis from compensation to prevention of injury. Time and again I've gone back to the bill and I've read it over and over and over again and there's not a dollar commitment, there is nothing but a bunch of empty rhetoric about injury prevention. You have done nothing in the area of occupational health and safety other than to take statistics, exploit them out of context and try to make a case for your politics. You know what? It's not a compelling case at all.

I find it interesting that the government is prepared to spend \$1 million to change the name of the board. The government that's interested in reducing costs and making things run efficiently will spend \$1 million to change a name, a name that, by the way, takes the word "worker" out of the title; it takes the word "worker" out of the name of the bill. Think about it. It's subtle but important and it

bespeaks a mindset. It takes the word "compensation" away. It removes the words "worker" and "compensation" — gone and replaced with some pabulum about injury prevention.

If you were committed to injury prevention and health and safety in the workplace, you wouldn't get rid of the Occupational Disease Panel. You would have amended the Workplace Health and Safety Agency but you wouldn't have got rid of it. You deep-sixed it and you deep-sixed everything that it did, both positive and negative, without any accounting for the future.

The Occupational Disease Panel, no longer independent. I've spoken to the Minister of Labour about this here in the House, in committee and even privately. When Professor Weiler did his study in the early 1980s and when the Davis government introduced legislation to create its predecessor, it did so for a reason: The government of the day and successive governments have needed independent advice with respect to the compensation of diseases in the workplace.

I remember goldminers in the north; that was a big issue in the early 1980s. Every time one of these situations came about, governments had to appoint a royal commission or a study. Instead of systematically looking at these questions, questions that are more prevalent today than they were 10 years ago, and in my view and in my estimation will be more prevalent yet again in the coming decades, instead of dealing with these according to the recommendations of the Weiler report, according to the views of the Davis government, according to the views of the Peterson government, according to the views of the Rae government — this gang? Back to the future. "We don't need science, heck, no." The Flat Earth Society, that's it: You don't need science in determining occupational disease. It's absolutely sad.

1620

The Workers' Compensation Appeals Tribunal: Government members won't remember — and those who spoke today, it wasn't included in the notes they had written for them — the days when the board served as both judge and jury. They don't remember the frustration that was created not only for injured workers but for employers. Why? Because the last level of appeal was the board itself. That doesn't mean a whole heck of a lot to these guys across the way, but you're going to find out very quickly that it bogs the system down and creates inefficiencies the likes we haven't seen since that body was created.

Now, when you have an appeal to your decision, who hears the appeal? It's the same court that made the original decision. It's absolute tomfoolery. Yes, the way WCAT evolved was not what was envisioned when it was created. We would agree, as I'm sure injured workers would agree to some extent, that the WCAT became too legalistic, became very difficult. An injured worker reasonably could not represent themselves at the hearing on the more complex issues. I know government members who have taken the time to study the history and evolution of workers' compensation law will know that when

Professor Weiler envisioned that appeals tribunal, it was envisioned to be an appeals tribunal that was accessible. I think people of good faith, of differing views, have all discussed those issues and have all agreed that there were things that could have been done to improve it. But what did you do? Did you improve it? No, you got rid of it, without much thought, without much compassion and certainly without much consultation.

Process is important here. In addition to the obvious agenda — and let's give the government credit: They said they would do this in the election. They added to it, but let's talk about the process. The minister only appeared once, on the first day of hearings, and refused to meet with injured workers. Then they get up in the House today and try to create the illusion that somehow they've been consulting, that somehow people have had equal access. That's the saddest thing of all, because people see through that. People understand. People aren't stupid. People realize. You can get up, say all you want, but the emperor has no clothes. The emperor has absolutely no clothes. The emperor has a closed mind, the emperor is not prepared to listen, but the emperor has no clothes.

Injured workers demonstrated angrily at the hearings because of the inadequacy of the process. But again, we ought not to be surprised. We've seen it time and time and time again; a government that has mastered the art of not listening, a government that bullies ahead without a lot of thought. We saw retreat really for the first time on Bill 136. There will be more retreats. The courts are going to find errors in law they'll strike down, as they did with parts of Bill 26. But what will finally force your ultimate retreat will be your Waterloo, which will be the next election. All those special interest groups are starting to add up, all those whiners, all those people who don't agree with everything the government says. Heck, even some of your own members.

The minister promised 14 days of debate, but there were only 10 hours in Toronto and six days across the province, including one half day in Windsor. Again, here we see a government that says one thing and I guess they think if you say it over and over and over again — they're like trained robots — that it must be true. You got away with that to some extent early on in the mandate, but people are seeing through you. People understand now, and with each one of those special interest groups that you impale, you lose more and more and more support.

Some 1,200 groups applied for standing and 118 were heard. That means less than 10% got a chance to be heard. The government will say: "They're all the same special interests. An injured worker in Thunder Bay is no different than an injured worker in Windsor. They all say the same thing, blah, blah, blah." But you're affecting their livelihoods. You are undercutting their very existence. No matter what you call it, any attempt to say you consulted or listened is a sham. It's simply not accurate.

Employer groups certainly had access to the minister. Employer groups certainly had access to the government. Their views were heard before, during and after the election. Their views were fully taken into account. Pretty well

everything they wanted, they got. With that government that's okay, because you're not interested in balance, you're not interested in fairness.

That is an absolute shame, because the way we've evolved compensation law and labour law in this province, it's been a system of what I would call consensual evolution, that is, nobody got everything all at once, and we evolved our laws. We made changes. We took time. What we've seen is a complete breaking with that tradition. The good news is that in a year and a half we'll return to that tradition. We'll have an opportunity to revisit many of these issues. We'll have an opportunity to deal in a substantive way with the real concerns all people have, both injured workers and employers.

The government is obligated, in our view, to listen to all sides. Yes, government will make choices that don't appeal to everyone, and yes, I suspect whoever had to deal with these problems would have made somebody angry. The point is not to win 100% support. Members in this House know full well that's unachievable.

But when you deny a process, when you say to people, "Your views aren't important," and when you say to injured workers, "You take a \$15-billion cut while we give \$6 billion to employers," you're saying unequivocally and very clearly what your priorities are. I have a very strong suspicion that those injured workers will tell you what their priorities are in about a year and a half's time. You can shut them down now and you can jam this bill through with time allocation, but you can't stop thoughtful, caring people from working for a better way and from returning this province to a state where it can look at all people with a sense of compassion and understanding.

I want to take a few moments to address the amendments and what the government did with these amendments. Again, this is indicative of a government. It's really sad. There were 256 pages of amendments to this bill, including 57 from our party. Only 20 were considered before the time allocation kicked in. We could review less than 10% of the amendments. The government will say: "Those are all redundant. We don't need to review every one of them." Wrong. Good public policy, good law, emanates from a review, from an understanding, from thoroughly investigating all the issues in any given piece of legislation or indeed, for that matter, any given regulations. The committee couldn't provide research in time prior to the amendments being submitted, because they wanted to jam through their bill without due consideration.

The government announced amendments to Bill 99 on August 21, saying that it, "listened to the very useful advice provided by injured workers and their spouses, employers and medical experts during legislative hearings across Ontario." Absolutely nothing could be further from the truth. You did not deal with a single one of those considerations.

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On chronic pain, for instance, the minister said, "Research will be targeted to this pressing issue." The hearings heard plenty of evidence that chronic pain is real, that it does exist and that it is not subject to normal heal-

ing times — not only evidence, but competent evidence. The committee heard that there are scientific data that suggest underlying organic causes, specifically biochemical, neurotransmitter and neurophysiological abnormalities for the most common musculoskeletal pain states.

On WCAT, the minister said she would introduce a limited policy audit function. She didn't. A close review is not there. On widows' and widowers' pensions, the minister responsible for seniors announced reinstatement of their benefits lost by the unfair penalty imposed by remarriage prior to 1985. The amendments to WCAT and to widows' and widowers' pensions would have happened anyway, as a result of extensive litigation. So you didn't give them anything. You may try to sell it that way, you may try to take credit for it, but it was going to happen anyway. You only responded, or reacted I should say, to the reality you were confronted with.

What's going to happen as a result of this historic re-writing of workers' compensation in Ontario? First of all, it will be harder for injured workers to get compensation. The government members say bravo to that. It's absolutely sad. It means somebody who's hurt in the course of their employment will not be compensated as easily. I will predict now that many of those people will wind up in some other form of government assistance, so there's no net benefit to society. Rather, there's a \$6-billion questionable benefit to employers.

There will be increased numbers of long-term disabled workers who will be forced to top up their benefits with welfare. To my mind this is the most shameful of a whole range of shameful things you've done. It's those pensioners. It's those people who are suffering and will suffer through the rest of their lives, through no fault of their own.

You know what the government thinks. The government thinks: "Oh yeah, those injured workers are all just milking the system. They're all just lazy." Wrong again. That's what you think; that's what you believe. It's at the core of your being. If it wasn't, why are you penalizing them \$15 billion? It's a scandal. The good news is you only have a year and a half left. Your disgraceful treatment of these injured workers right across this province, your absolute distortion of fact, is unparalleled, in my view, in this Legislature and in any debate I've ever been part of.

What does that really mean? It means injured workers won't be able to support themselves and their families. Many of them are at bare bones to start with. They don't get what we get. They don't have the lifestyles we've become accustomed to — and God forbid any of us should find ourselves on compensation. They don't have the quality of life we have. Many of them, like us, have young families they have to support. You're taking \$15 billion out of their pockets and you don't even give them a chance to speak.

What else does it mean? It means the cost of compensation will be shifted from employers to communities, because when those folks wind up on welfare, whether they wind up on — what is the replacement for family

benefits? I forget what it's called now. When they wind up there, you're shifting the burden, as you are in so many other ways, to property taxpayers, the government that's raising property taxes right across Ontario.

The offloading on to other systems is ultimately offloading on to the people we have pledged to support in illness or in injury or, unfortunately, in some cases in death. Curtailment of the tribunal's power will ensure that the very real and legitimate pressures that gave rise to the tribunal in the first place will return, and they're going to return with a vengeance.

In conclusion, I'd like to say that we all agree that workplace injuries serve no one. Injuries don't serve the employer at the workplace, nor do they serve the workers who are trying to earn a living for themselves and their families.

Bill 99 isn't about fairness or equity; nor is it about balance, the fundamental values upon which the system was conceived. It's not supposed to be one-sided, but this is the direction the government has chosen to go in. Bill 99 has little to do with meaningful reform and everything to do with cutting benefits to injured workers and the most vulnerable people in this province. It's based on an ideological agenda that is mean-spirited and designed to blame the weakest in our society for all our problems.

That's been the agenda of this government from day one. We've seen in their cuts to hospitals, to our seniors, to our children and to schools, and now they're going after injured workers. The agenda of this government is not about helping people; it's about setting this great province back. The introduction of anti-fraud measures on May 16, 1997, is consistent with the Harris government's attack on the weak and the vulnerable.

There's nothing in Bill 99 which reforms the system positively for injured workers. It's being reformed on the backs of injured workers. This is a sad, sad day. I join with these injured workers today in condemning this government for its shameful attack yet again on the poorest and most vulnerable. But I tell you today, in a year and a half these people, tens of thousands of them right across this province, will join and teach you a lesson you won't soon forget.

Mr Mike Colle (Oakwood): I want to congratulate my colleague from Windsor-Walkerville for some very penetrating comments, I think heartfelt comments about a bill that he's followed in committee and feels very strongly about. He's pointed out again to all of us how difficult it is for anyone to accept this bill and certainly why our party is so much against it. I congratulate him for his work on it over the past couple of years.

This Bill 99, if put in context of other things this government is doing, becomes quite frightening. If you look at our cities, if you look at our province, you'll see there's a growing gap between the wage earners at the top — the chief executives of companies, the owners of companies, the employers — and the workers. There is a boom of sorts going on now in Ontario, but that boom seems to be focused on the people at the top.

There are a lot of people at the bottom rung of the income brackets across Ontario who don't see any benefits of this boom. Their wages have not increased at all. In fact, I think wages over the last four or five years have increased for workers maybe 1%, yet you see executives — you know the stories about the chief executives of the banks making \$3.9 million. They're all trying to outdo each other in terms of how many millions they can make in salary. That's not to say that these chief executives should not be rewarded. They should be given compensation for taking on that job as the chief executive; they deserve to be well paid. The problem is that what's happening is that the employers or the owners seem to be getting a disproportionate amount of the benefits of the economy, whereas the workers seem to be seeing nothing but more bills, more heartache and more difficulty.

1640

There's a growing gap between Bay Street and Main Street. There's actually a chasm, a canyon growing between Main Street and Bay Street. People on Main Street are just scraping by to pay bills, scraping by to put food on the table, scraping by to buy clothes for their kids, scraping by to buy shoes. People on Bay Street are talking about the new Porsches they've just bought.

I was in a drug store yesterday and this accountant told me a story about a 25-year-old who grossed \$2.5 million on Bay Street last year. These are the success stories, and sure, it's great for these success stories to happen, but they're disproportionate.

Bill 99 has to be taken in that context. What this bill does is perpetuate that gap between those who don't have and those who have. What it does is that there will be \$15 billion essentially taken from workers, and that money could have been left in the hands of these injured workers — some of it could have been; I'm not saying all of it. There will be about \$15 billion less paid to injured workers and \$6 billion given to employers.

The poor working person who was maybe recently injured ends up with 5% less of a measly pension, because this government feels it's more important to put more money in the hands of the top income earners.

Bill 99 is enmeshed with this income tax policy whereby they've given a 30% tax cut worth about \$5 billion. Why not keep some of that tax cut back and give it to injured workers, put it in our schools, put it in our hospitals to keep them open? But this government is perpetuating and widening that gap between Main Street and Bay Street. They're going to have more people buying Porsches and fewer people able to afford to drive a Chevy or TTC fare. That's what they're doing with this type of legislation.

Every day in my riding of Oakwood, whether it be on Eglinton Avenue or Oakwood Avenue or St Clair, I see these injured workers. They talk to me. They come to my office on a regular basis. They are just scraping by. The only reason they're able to scrape by is because a lot of them are exceptional savers. They go up and down the street on St Clair looking for something on sale. Instead of buying a loaf of bread for \$1.25, they'll look for that loaf

on sale for 99 cents to save that 25 cents so they can make ends meet. These are the injured workers whom this government feels deserve less money.

What are the hardships of that 25-year-old who earned \$2.5 million playing the stock market on Bay Street? What possible hardships could he have when he's earning \$2.5 million? I don't think we should be giving that \$2.5-million wage earner any more breaks. The breaks should come for people who are on the injured worker lists in this province. They're the ones who need a helping hand.

Employers don't need to be punished, sure, but they don't need this extra money going to them, taking it from the workers. What do these workers do with the money they get from workers' compensation? They get it and spend it on food and clothing and heat and light and telephone bills or paying their mortgage. That's what they do with that pension. They're not doing the economy any harm by buying bread and shoes and paying for electrical bills. They're putting that money back in, so it's even good economic sense to give them that little bit of money they deserve.

My own father was a steelworker. He worked at the American Standard plant on Lansdowne Avenue and Dupont in the city of Toronto. I can remember, when I was a young boy living down on College Street, that my father was injured on the job. I can remember the panic that set in in my family when my father could not move for two or three weeks and was bedridden: Where and how would we ever pay for the rent, for food, for anything if the main bread earner was injured?

That's the type of situation that people faced and are still facing. What happens if your mother, your father, a wage earner, is injured? You're going to add more fear and more uncertainty for these families that already have a lot of uncertainty and fear. There are injuries in office work, no doubt about that, but a lot of these people work in factories, they work in marginal jobs, in construction; they work in all kinds of unorthodox situations to make a living, and they're very much subject to potential injury.

The chances of the Bay Street stockbroker getting injured as he gets in and out of his Porsche aren't that great. But that worker who works on construction, when it rains, when it snows, when there's improper scaffolding — these things are going to happen. This government is trying to say that those people, in the future and today, don't need extra support, don't need a basic pension. That is adding more fear, more insult to a person who is going to in many ways risk their health by taking these jobs.

They work in meat-freezing plants — I've seen them — in subzero conditions. They're lifting sides of beef. These people are risking their health every day in plants and factories and on the roads and highways of this province, in building houses, in building apartments. If you go up and down St Clair Avenue, you will see these injured workers, who gave their best years, their 20s and 30s and 40s, to this city and this country. They built this city and country, and they built it with pride.

This is why they're so angry. I know the government members sometimes can't understand why they've been so

angry at these hearings. It's like a slap in the face. These men and women have worked and endangered their lives and gave everything they had to this province, to this city, to this country, and then along comes this Bill 99. They're told, "Listen, what you did was great," and they get a little patronizing slap on the back and are told to go away, and they get their compensation basically gutted. That is why they're so angry across this province.

Put yourself in their shoes, with less money coming in, more uncertainty, the loss of pride because they can't work, and then ask why they're angry. I think they have every right to be angry, especially when they see the well-to-do in this province doing better and better and better, when they see the tax cut going to the well-to-do, when they see that Bill 99 gives more money to employers and takes money out of their pockets. That's why they deserve to be angry.

Mr James J. Bradley (St Catharines): On point of order, Speaker: There is no quorum, I think. Would you check?

The Acting Speaker: Clerk, is there a quorum?

Acting Clerk at the Table: A quorum is not present.

The Acting Speaker ordered the bells rung.

The Acting Speaker: A quorum is now present. The member for Oakwood.

1650

Mr Colle: I would like to thank the member for St Catharines for noting the fact there was not a quorum here and coming to my assistance.

As you know, Bill 99 is totally opposed by the injured workers and workers across this province. They have every right to be. I support them in opposing this, and as our party does, I hope people across this province support injured workers in their opposition because, as we know, this government just doesn't pick on injured workers. It's teachers, it's union workers, anybody who gets in their way they will bulldoze.

I ask them to stand firm, to keep opposing this government. Today it seems the rumours are flying that there is an imminent cabinet shuffle coming. Some of these ministers we've seen here before us are on the way out and they will be replaced by other ministers. But we know no matter what shuffles take place, no matter what deck chairs they shuffle on the Titanic, Commander Admiral Harris is still the one to blame.

I'm not that angry with Elizabeth Witmer, actually. My anger or the workers' anger is with Mike Harris because he controls this government and this agenda totally. That's where we must focus our opposition, at the Premier's door because he's responsible for setting the agenda. He's responsible for the targets, and he has targeted injured workers, he has targeted hospital workers, he has targeted teachers. We know that.

Even though Mike Harris may shuffle the cabinet tonight, it doesn't make any difference who takes their places. You must remember that it's still the Premier, Michael Harris, who sets the agenda with his back-room whiz kids who know nothing about the plight of injured workers. They don't know what it means to be injured on

a job and unable to work and going home without your job, without your a paycheque and without your pride because you got hurt.

They want to restore their pride. With a little bit of support the injured workers' pride could have been helped by revamping this compensation act. They could have done it in the right way. They could have put less money into the tax cut and a bit more money towards injured workers. They could have helped these people pay their bills and they are good, taxpaying, hardworking Ontarians whom this government has targeted. It doesn't make any sense to target these people and it doesn't make any sense to pick on workers who through no fault of their own are disadvantaged.

That's the crazy part about it. They are injured because of an accident. They didn't plan it. The workers didn't want to be injured. They are there through no fault of their own, so this bill is punishing them for having been in an accident. That is what is so dumb about Bill 99.

I think what we have to do, as the opposition or people who are opposing Bill 99, is continue our fight to ensure that injured workers get justice. It may not be in the next year and a half, but we must commit to justice for injured workers because they are, through no fault of their own, being disadvantaged and hurt doubly by this bill.

Although many in Ontario are lucky and fortunate in not being injured on the job, I ask them to stand shoulder to shoulder with people who aren't as lucky, who are victims of Bill 99, and support them in their ongoing struggle and have empathy with them in their ongoing struggle for justice, and just a fair compensation package so they're not just treated like pieces of material. They are people with families, with feelings and with emotions who want to contribute to this country and to this province, so let them do it. Let them live in dignity through their injury.

Remember, no matter what cabinet shuffle takes place, whoever the Minister of Labour is going to be tomorrow, the fault lies at the feet of Mike Harris, who is running this province totally. He's a total control person and he is the one who has made Bill 99 and all these other bills. So keep your focus on the Premier. No matter what the shuffle does, he's the one who sponsored Bill 99; he's the one we must remember is the cause of Bill 99.

Mr Christopherson: I appreciate the opportunity to comment on the final reading of Bill 99. I regret there wasn't more opportunity for many of the people who are here in the galleries. I know people at home can't see them, because that's not the way the camera system works, and that's understandable. But there is quite a crowd of injured workers here today bearing witness to the rights of injured workers that are being taken away by the enactment, on third reading today, of Bill 99.

I want to talk about a number of things that are contained in Bill 99 and what they mean for injured workers. Just as important for anyone watching who is not an injured worker and feels, "This doesn't apply to me," you ought to thank your lucky stars that today you aren't an injured worker. But every injured worker who is here today — in fact, every injured worker in this province —

didn't plan to be an injured worker the day they went to work.

They went to work thinking they would return home to their families and continue their regular life just like everybody who doesn't. But some people, for whatever circumstance or for whatever reason, are injured on the job; far too many, tens of thousands, workers are killed on the job. When you become an injured worker, suddenly the whole system of the WCB, when you get caught between the cracks, comes crashing down on you. We saw the stress and the heartache that can cause people. When you add on top of that all the things that are in Bill 99, it's almost monstrous what this government is considering and contemplating and prepared to vote for today.

I want to start first of all with the issue of the royal commission because that was sort of the first decision of this government around WCB. For all their talk about wanting to change things, the government says, "Because there are problems with the WCB, everything we're doing is justified." What they don't explain is that what they're doing is making it worse. No one is saying the WCB should stay the way it is. There's not one of those injured workers behind me or at home watching this who believes the system ought to stay the way it is. But they believe it ought to be improved, something Bill 99 does not do.

There was something under way that was going to deal with matters that had to be looked at, complex matters. This is not a simple bill. It's not a simple issue. We struck a royal commission after we passed our amendments to the WCB because our amendments did not deal with every single problem. I and my colleagues will be the first to admit that. But we did what we could in the time we had, and on those things that required more discussion and more analysis we said, "Let's strike a royal commission." After all, that's how the WCB came to be, the result of a royal commission.

What did this government do as one of their first decisions? They killed it. They killed the royal commission into the WCB and they handed the work that had been done over to junior minister Cam Jackson. He took all that work and he went underground and disappeared for months. Where the royal commission was meeting with people in public, a wide-open session so you knew what was being said to the commission, who was saying it and therefore you'd have an opportunity to respond when your time came, that kind of open, transparent process was gone when Cam Jackson took over. He met with people privately. We don't know how many people he met with, we don't know who he met with, and we don't know what they said.

1700

When the parliamentary assistant stands up and says, "We've consulted; Minister Jackson met with 150 workers," well, most of those were at one public meeting in his own riding in Burlington. I was there. I can attest to what happened. He didn't want to be there but the injured workers forced him. Phil Biggins is right here watching today. He was there. Cam Jackson didn't want to be there. Phil's organization and others in support of what they're

about forced him into that public meeting. I'll bet 149 of those injured workers that he's referring to were from that meeting alone.

Minister Jackson talked about the fact that what injured workers told him was that they wanted the bureaucracy fixed and they wanted the system fixed. First of all, nobody would argue that. But that's not what I heard at the one public meeting he held, or one of the few. What I heard injured workers talking about was the fact that money was being taken out of their pockets and given to employers; that compensable claims that were allowed today will not be allowed tomorrow; that the WCAT that was there to make great strides and great breakthroughs for injured workers was losing its independence. Those were the issues they cared about. Pensions and the fact that 50% of the contributions made to the pension plans for injured workers were being cut: That's what they wanted to talk about at those public meetings.

It's disgraceful that any member of the government would say that you consulted on Bill 99. You may have talked to your friends in the corporate world and you may have talked to your friends in the insurance industry, but you sure did not give workers and their representatives and injured workers and their representatives and community agencies their opportunity to be heard, not in the same fashion that the royal commission did. But then you really didn't want to solve the problems, did you? What you wanted to do was set the stage to go after injured workers in the way that you have in Bill 99.

Right after you made that decision, we dealt with Bill 15. At the time, people thought it was a fairly innocuous bill. It was rather small in terms of its size but it had incredible implications for workers who are hurt on the job. If you look at the odds, there's probably someone watching right now who will have a friend or a family member or themselves injured by this time tomorrow. Bill 15 affects them because Bill 15 took away the right of workers to have a 50% say in how the WCB was operated. We know the government has a difficult time with workers who get uppity and don't know their place. That must be how they viewed those representatives.

When we, the NDP government, the Rae government, gave workers those 50% of the seats on the WCB, what we said that was doing was finalizing the chapter that began in 1914-15 with what's called the historic compromise. The historic compromise was the result of the royal commission I referred to a few minutes ago, which at the end of the day said there ought to be a no-fault system in place that does two things. First, employers would be protected from any lawsuits by their employees if they were injured on the job. So no matter what happened, how negligent an employer might be, if one of their employees was hurt on the job, they could not be sued in a court of law. In exchange, workers would have a fund that would pay their wages and their benefits without question when they were hurt on the job through no fault of their own.

When we looked at the WCB, we said, "This is not a government plan per se, this is not an employers' plan per se, and it can't be an employees' plan because they're

lucky to get a couple of seats." We in the NDP said that what there ought to be is a recognition and a reflection that there's a partnership here. The partnership is the government, which of course sponsors the bill and provides the legal framework, but half the seats ought to be employer representatives. That's fair. They should. They are a partner in the system. But 50% of those seats should also be worker representatives. It's their plan also. In fact, the plan was created for them.

The royal commission was not struck because a bunch of corporations at the turn of the century said, "Hey, we need a better way to deal with injured workers because we're concerned about it." They agreed to it and the government of the day responded because there were too many bodies piled up and corporations were losing the lawsuits. That was the motivating factor.

Bill 15 took away workers' rights to 50% of the seats on the board. So now the overwhelming majority of that board, with few exceptions, are Mike Harris's handpicked cronies who think like him, talk like him and are prepared to do his bidding. In fact, they fired labour representatives who were already on there who hadn't completed their term. The courts ruled it was illegal for them to do it. How many times have we seen that, I say to my colleague from London Centre who just showed me another court decision? How many times have we seen that it finally took the courts of this land to stop this bullying government? That's what Bill 15 did.

When we take a look a little later at everything that is in Bill 99, we begin to see that all the decisions that were done by independent agencies, whether it was WCAT or the Occupational Disease Panel, all of those decisions now directly flow back to the board of directors. And who runs the board of directors? The overwhelming majority of Mike's corporate pals. That was the importance of Bill 15.

After November 26, a day that truly will live in infamy in terms of benefits or, better said, attacks on injured workers, when Bill 99 was introduced into this House, the minister, under a great deal of pressure certainly from our caucus, and to some degree from the Liberals — certainly a priority for us, if you check the Hansard, was forcing that minister to say there would be province-wide public hearings. Why? Because we knew that if we got the government out of this place and out of the protection and sanctity and comfort and cocooning of this room, they'd have to face exactly those people up there and hundreds and thousands of others all across the province. We thought, "That's our best chance: public opinion." How many members of the public would support something that takes away benefits they may need, particularly when it's giving benefits back to the people who owe the money in the first place? I'm talking about the employers.

What happened on that commitment after the minister said, "Oh, yeah, we'll do that"? Six days of province-wide public hearings, an insult, a disgrace, for a bill that doesn't just amend the Workers' Compensation Act; it replaces the whole law.

You made a few changes to the Employment Standards Act, and when we embarrassed you into recognizing they

were takeaways from some of our most vulnerable workers who didn't have the benefit of a collective agreement, you finally agreed to four weeks of province-wide public hearings — four weeks — on a bill that you said, your words, was minor housekeeping in nature. But when it comes to Bill 99, an entire replacement of the Workers' Compensation Act, you give six days. And what six days? In the middle of summer, in the dog days of summer.

Mr Len Wood (Cochrane North): Shameful.

Mr Christopherson: "Shameful," says my colleague the member for Cochrane North, and he's right. It is shameful.

Oh, but they had a surprise waiting for them. There was a surprise in every community we went to, because in every one of those communities we held a rally in the morning, and at those rallies we had standing room only — banners and buttons and hats and balloons and music and marches from that rally all the way over, down the middle of the main streets in many cases, to where the hearings were being held.

1710

I think the government was shocked. They thought that with their bullying reputation and the fact that this was the dead of summer, we might end up with five or 10 people, a couple of signs maybe, a little bit of resistance and that's about it, that they could skate in and skate out and get this out of the way. That's not what happened. Those injured workers were out in force, and they sent a message to this government, a message that you were told back when you introduced this bill on November 26, 1996. That message was, "If you attack workers in the way that you propose in Bill 99, you will feel the wrath of those injured workers, because they are justified in taking you on, and you have no justification for what you've done," and that's exactly what happened.

When we finally got to the final hearings, we had the Kingston resolution. The Kingston resolution was the result of every day, in each community, the government members of the committee — who form a majority — denying my request for unanimous consent to introduce a motion that would extend the hearings, and in every one of those communities, the government backbenchers blocked it. Both opposition parties were in favour. Certainly all the people who were in the audience were in favour, because a lot of them wanted to speak. The government backbenchers denied those injured workers their day in court, if you will, in our democracy.

Shame on every one of them, because since then I have heard every one of them give a speech either here or in another committee, where they have said: "We're listening to people. We want to listen to people. We care what people have to say." Sure, as long as they're people who agree with you, but God forbid if there's someone who maybe disagrees with you.

I see the member for Peterborough has just entered the chamber. How timely, because Mr Stewart, while we were in Burlington, was the only one prepared to put his name on the record on that one day when I said, "Who exactly is objecting?" Suddenly he disappeared and didn't

make it to Kingston, and when we got to Kingston, they were all unified again. I suppose they were following the theory that there is safety in numbers. But on that one day there was so much emotion in that room that not one of them was prepared to say anything and go on the record, and we almost had unanimous consent except that member who just walked in, the member for Peterborough, said, "I don't want those hearings extended, and I go on the record saying so."

Interjection.

Mr Christopherson: It's in the record. You can hear him now. He gets his voice. Where was their voice when they wanted to talk? Where is their opportunity? You ought to be ashamed of yourself.

Mr R. Gary Stewart (Peterborough): And you know why? Because you weren't allowing the disabled to speak, that's why, because you had all your union buddies speaking. You didn't give them the opportunity.

The Acting Speaker: Member for Peterborough, come to order.

Mr Christopherson: You have no right to speak in here, morally, given what you did to those injured workers, and it's in the Hansard. You can't change it.

Mr Stewart: That's the problem and you know it. Absolutely. You should have let them speak instead of your union buddies.

The Acting Speaker: Order. I ask the member to direct his remarks through the Chair, and I would ask the member for Peterborough to come to order.

Mr Christopherson: For the record, in the Hansard of August 13, I state:

"Chair, all I want to know is who said no? I didn't hear anybody. Who is going on the record to say no?"

Mr Stewart: On a point of order, Mr Chair: I said no."

Then he goes on — get this. This is what's so bizarre. Two comments later, after I called him a disgrace, he said, "I suggest I probably care for them more than you do because I want to listen to them."

That's after, two seconds before, he went on the record saying, "I don't want to listen to anybody else." That's how bizarre and backward some of the members of that committee are.

What happened the next day in Kingston, after Mr Stewart was very quietly and effectively whisked off the scene so he wasn't there to be seen in Kingston? I'll tell you what happened in the morning in Kingston.

Mr Peter Boyle, of the Kingston and District Labour Council, placed the following resolution on the floor. Do you know what the workers had to do? I don't think they were proud of it, but they felt they had no other choice. Do you know what they did? They took over the beginning of the committee meetings and they at least had one resolution that dealt with their concerns.

I honestly don't think they were proud of that, because regardless of what you think, working people in this province have a great respect for the institution of this Parliament. But you disgraced it and you shamed it to the point that they had no alternative but civil disobedience. What did that resolution say?

"Whereas the overwhelming majority of workers who have presented to the Ontario standing committee on resources development, which is holding public hearings on Bill 99, have testified that Bill 99 attacks injured workers in the name of greater profits and will lead to greater numbers of injuries and deaths in the workplace; and

"Whereas the government members of the standing committee on resources development holding public hearings on Bill 99 have demonstrated that they have no intent of taking into account the concerns of injured workers and their advocates;

"Therefore, be it resolved that the participants at the Kingston public hearings on Bill 99 call on the labour movement, the injured worker movement and all progressive organizations to continue the fight against the concepts in Bill 99. They should use their resources to fight these regressive changes on the streets, in the workplace and to build support within their communities for a just compensation system and safe and healthy workplaces. That fight begins in Kingston today."

I tell you, members of the government, these people are here because that fight continues today.

I want to talk just a little bit about the unfunded liability, because the government likes to talk about that a lot. The government likes to say — and you certainly heard the parliamentary assistant, the member for Niagara Falls, talk about it — that it's this unfunded liability that's driving them to do all these mean and horrible things, and they really don't want to do that, because they would suggest to you that they're very nice people and they wouldn't do this unless they had to.

But there's a problem when we take a look at the facts. The facts are that the unfunded liability, in fact all of WCB, has not one penny of taxpayer money. Not one penny of taxpayer money is in the WCB. It's paid by the employers who pay the premiums into that fund to pay their share of the historic compromise because their employees can't sue them.

So this unfunded liability is certainly not money that injured workers owe, and it's not money that taxpayers owe — this government likes to spin it out there and put it in the same context as the provincial debt and deficit, and therefore give them some cover. No. This is money that employers owe, because they pay the premiums. That's what's so despicable about the fact that you're taking \$15 billion by virtue of the changes in this bill out of the pockets of injured workers between the now and the year 2014, and giving \$6 billion of it back to the employers by way of a premium cut of 5%. So you cut injured workers' net income from 90% to 85% and give the employers who owe the unfunded liability in the first place a 5% gift on the premiums they pay. And you wonder why injured workers are so angry?

1720

The government likes to talk about the fact that this unfunded liability is crippling the WCB. They characterize it that seriously. But again, let's analyse it.

Number one, when we talk the unfunded liability, we're not talking about money that has to be paid tonight or tomorrow or next week. It's all the obligations the WCB has, all the payouts they're going to have to make in the future.

It's no different from any one of us here or anyone watching at home sitting down and saying, "How much am I going to pay in mortgage payments or rent over the next 20 years, and how much am I going to pay in fuel on my vehicle, and how much am I going to pay on insurance and heating the house and paying for the phone, and clothes and food?" and adding it all up and saying, "That's my unfunded liability." The suggestion from the government is that if anybody watching and doing that calculation can't cut a cheque today to cover that total amount, you're in crisis. By that definition, we're all in crisis; certainly every middle-class working family in Ontario is in crisis.

What else? The other thing they don't talk about much is the fact that the unfunded liability has gone down in the last three years since our legislation, the NDP legislation, came into effect, by over \$1 billion. Yes, it's going to take some time for that to come down under our plan, but our plan didn't involve the attack on injured workers' rights the way yours does.

Chronic pain: Between now and 2014 this government is planning to take \$1.4 billion out of the pockets of injured workers for chronic pain; pension benefits, \$1.4 billion; and reducing the benefit that a worker gets from 90% to 85%, \$3.1 billion. That's just a sample of what happens to injured workers. All that is happening at the same time that the employers, who owe the money in the first place, are getting a \$6-billion gift.

The parliamentary assistant likes to talk, as he did today, about the changes we made and point out that we made some changes that redirected some of the benefits. It's true. Were injured workers angry? Yes. But let's look at the details.

First of all, there were substantive negotiations between our government, labour and business. At the end of the day business did not agree, but business also could not say, like labour does now under Bill 99, that they didn't get their say. They did. On Bill 99, workers didn't get their say before or after you introduced Bill 99.

The other thing is that we improved the income of over 40,000 of the most disabled, permanently injured workers by up to \$200 a month; over 40,000 injured workers had improvements of up to \$200 a month, and that money was 100% inflation-protected. That is what happened under our legislation.

What did the Ontario Federation of Labour do? They were not happy with some of the changes, but they recognized that on balance this was better legislation and improved legislation for injured workers. Coupled with the royal commission to look into a lot of the other issues, they gave their support for the total overall package we brought in.

What did we do? We gave over 40,000 people over \$200 a month, and inflation protected that money 100%.

And we dropped the unfunded liability by \$1 billion over three years. What did we not do? We didn't give one penny of that redirected money back to the employers. What sense would that make?

My friend from Niagara Falls says we did. The reality, and he knows this, is that all the changes he talks about were part of reorganizing and putting everybody into different categories that had virtually nothing to do with Bill 165. That was an independent process under way within the WCB and had nothing to do with 165, and he knows that. That's the reality. That stands in stark contrast to this government, which takes \$15 billion out of the pockets of injured workers and gives \$6 billion of it back to the people who owe that money in the first place.

Before I leave this — you promote yourselves as people who think about common sense. Ask yourselves this: If the unfunded liability was such a crisis, why would you give \$6 billion of your revenue back at a time when you say the debt is the major crisis? That doesn't make any sense at all to anybody. It's very similar to your 30% tax cut, I might point out. You talk about the debt and deficit being the top priority and then you give \$5 billion back through your 30% tax cut, of which 10% of the population gets the lion's share of the benefit. It's the same thing, and people are beginning to see that.

Let's take a look at what this government is doing. One of the things they did when we were at committee was slide in an amendment that nobody raised during the hearings; nowhere can I find it in the Hansard. They brought in number 211. My colleague from Windsor-Walkerville mentioned how many amendments there were. Here are the amendments; that's how many there were. As he said, we got to maybe 20 of them. The rest of them were rammed through. We didn't get anywhere near number 211. Number 211 was a sneak attack. What does it say? It says, under "Application," under 106.1(3):

"Sections 114 and 117, subsection 119(2), section 119.1 and subsections 169(1) to (4) of this act apply...to pre-1998 injuries and to decisions of the board rendered before January 1, 1998...."

What are those clauses it refers to? Those are all about appeal procedures; it refers to a couple of other things. It takes the time limitation, the restrictions in the bill after it takes effect on January 1, 1998, and says, "Every one of those time restrictions is now retroactive," so that every decision made before the bill was enacted is subject to the six-month time line.

They didn't talk about that in Bill 99. It's not in there as it was proposed at first and second readings. They didn't talk about it out in the communities when we were out doing public hearings. The only time they raised it was after public input had been shut down by a time allocation motion and buried it so far down that we never got to it at all. That, in my opinion, is nothing but a sneak attack, a cowardly attack on workers who are affected now by a bill that doesn't become law until January 1, 1998. How despicable.

Ms Shelley Martel (Sudbury East): Typical.

Mr Christopherson: My colleague from Sudbury East says, "Typical." Despicable and typical, to put something like that in there and never once hint during the public hearings that you're going to do it. Think how you would react, any of you, if this had happened to an issue you cared about.

It's going to mean one of two things. It's either going to mean that people are going to be extinguished in terms of their appeal rights, because they don't know about it — the minister today said, "We're going to contact everybody." Well, you take a list of tens of thousands of people and make a commitment to find every one of them within six months. Good luck. I think they're hoping, of course they're hoping, that a lot of those appeal cases fall off, and once the time limit goes by you're out of luck.

If that doesn't happen, the other expectation is that any representative of an injured worker worth their salt, whether they're ready to make a substantive appeal on a case or not, is going to fire in a letter keeping the file alive. This represents possibly hundreds of thousands of appeal cases, and yet the minister has refused, in questioning in this House from myself and my leader, Howard Hampton, to commit that she will put the money up front that is necessary to hire the staff to deal with that caseload. What does that tell you about how sincere this minister is and what this government really thinks about injured workers?

1730

What are some of the changes? I've got about 15 minutes left, so I can't deal with everything. There's not enough time, because of course they've time-limited everything so we don't get as much time any more. One of the really serious concerns expressed by public sector and private sector representatives, community groups, truly anybody who actually understands what's going on in the world of injured workers and why these things happen, is the killing of the Occupational Disease Panel.

I made a note when the parliamentary assistant was speaking, and he was running through a list of achievements they did. He was reading one out and he said, "Done," and then he read another one, "Done," and read another one, "Done." I want to read a list too.

There was a letter sent to the Honourable Elizabeth Witmer, Minister of Labour, on July 4, 1995, within weeks of this government's taking power. The actual transition had taken effect. The ministers hardly had time to get their pen sets on their shiny new desks and this letter came rolling in. It's from the Ontario Mining Association and it's addressed, "Dear Madam Minister," and they offer their congratulations and they have worked together well and they look forward to working in the future — not unusual in that. Everybody says that. Then they say in the second paragraph, "Among those discussed" — talking about the issues they have discussed — "we believe that the following require your most immediate attention and resolution."

This is the Ontario Mining Association to the new Minister of Labour a few weeks after she has taken power, and what do they think needs immediate attention

and resolution? Repealing of the Bill 40 Labour Relations Act amendments — done; dismantling of the Workplace Health and Safety Agency — done; amending the Workers' Compensation Act — done; cancelling the WCB royal commission — done; restructuring all bipartite processes — done. That's five out of six. What would the last one be? Dismantling of the Occupational Disease Panel, and now, with Bill 99, the government can mark this "done."

What does this panel do? First of all, they have attracted worldwide attention and respect and commendation and credit for the work they have done, because what they do is provide an independent — that's the key here — independent evaluation and study by scientists, academics, medical doctors, all the experts in the field you need to look at whether there is a causal link between exposure in the workplace and disease and illness, sometimes leading to death, that workers face. What do some people say? The Ontario Mining Association wants it killed. That's on the record. The government is planning to do it.

Mr Gilles Pouliot (Lake Nipigon): Silicosis — done.

Ms Martel: Lung cancer — done.

Mr Pouliot: Black lung disease — done; hydrochloric acid — done.

Mr Christopherson: My colleagues from Lake Nipigon and Sudbury East are echoing some of the things that have also been done, and I can only hope that Hansard caught those.

First of all Homer Seguin, from the United Steelworkers of America, District 6, who has 46 years of active experience in health and safety, 31 years of active experience in workers' comp and occupational disease, four and a half years as a member of the board of directors of the WCB and nine years as a member of the Occupational Disease Panel here in Ontario, what does he say about it? He says:

"The facts demonstrate that the Occupational Disease Panel's work and reports have resulted in considerable disease prevention activity, while the WCB's 70-year track record has been proven to be a disaster.

"The two opposition parties are on record as supporting the maintenance of the Occupational Disease Panel." This is Homer speaking to the committee.

"Madam Chair, government members, this is a critically important matter. Literally speaking, if the government stubbornly proceeds with the elimination of the ODP...as proposed in Bill 99, in the face of the overwhelming contrary evidence, the blood of innocent disease victims will be on your hands and on your record. I plead for reconsideration of all the above and for the health and lives of potential disease victims whom your decision will impact upon."

More dead workers — done.

That's what Homer said. I have quotes in here from Buzz Hargrove, president of the Canadian Auto Workers; Gord Wilson, president of the Ontario Federation of Labour; Harry Hynd, director district 6, UFCW; the Catholic teachers' association has spoken out. Virtually anybody

who cares a whit about workers had something to say about this. But you might argue that their opinion is biased, because you would certainly never give any credibility to a democratically elected labour leader and we wouldn't expect you to.

But what else have we got? We have a letter signed by a dozen professors and associate professors of the department of work environment —

Interjection.

Mr Christopherson: I don't think you've got too much to say, Minister of Municipal Affairs and Housing, given what you're doing to our communities. I would think this is a fight you might want to stay out of.

These dozen professors and associate professors of the department of work environment at the University of Massachusetts, Lowell, what do they say?

"We recently heard that the province of Ontario is planning to eliminate the Occupational Disease Panel in the near future. We urge you to reconsider this decision. Several of us have worked with the panel over the years and have always been impressed at the extremely thorough and rigorous way they have approached the difficult and often contentious task of determining the work-relatedness of disease.

"The Ontario workers' compensation system has been described as a model for how scientific research can be successfully used in the development of occupational health policy."

That's using the Occupational Disease Panel as an independent agency, not folded into the WCB. It came out of the WCB because for 70 years it didn't work. That's why it was created. You're taking us back. You keep making this speech that you're moving forward, as the parliamentary assistant said, into a new era. No, you're not. Like virtually everything else you're doing, this is yesterday. It didn't work. But then you don't want it to work because, you see, if you identify that there is a link between exposure to substances and chemicals in the workplace and illness or a disease that a worker has, two things happen. One is, that claim is compensable. It costs money because the employer pays the premiums that pay the fund, so they have an interest in keeping those costs down. They don't want to pay the money. But the worker is paying with their health and with their life.

The second thing that happens, when this panel can make the linkage, and they don't always — that's what's so important about it. If it's not a direct link, if there are suspicions people have, then fine, let's not spend any more time looking there. We've still got a sick, dying worker. Let's move on to something else and find out what is causing it. When you find it, they get compensation, and second, there's then a legal obligation on the part of the employer to correct it, and not just in that workplace but to clean it up in every workplace. What does that do? It prevents other workers from getting sick.

That's why it is so important that it remain separate, but this government doesn't care about that. They care about the dollars. They are literally more concerned about the dollars that are involved in paying compensation and

in illness and disease prevention than they are in taking care of workers who are dying.

You know when this will come back? This will come back if, God forbid, we're still under a Tory government, the same way that everything in WCB that's positive and progressive ever happened before: When the bodies line up, when the bodies stack up and public opinion says you have to respond, then we begin to turn the curve. Until then, injured workers are going to get sick, they're going to get hurt and they're going to die.

I want to talk about two other items while I have time. I'm down to the last five or six minutes.

The government has now eliminated — oh, before I leave this, there's one thing I want to say about this Occupational Disease Panel. Remember I said how important it was for you, the government members, that Bill 15 get passed? Well, this independent agency used to make their own decisions about what got studied and what didn't. It was based on priorities and it was based on the number of people who seemed to be getting hurt in a given industry or a given part of our labour economy. They would make that decision based on what's best for the most amount of people and they made that decision independently, which is why it was pointed to as a model for the world to look at and why we have letters from around the world supporting it.

By taking this away and folding it back into the WCB and under the new procedural regulations, the board of directors gets to make the final decision about what gets studied and what doesn't. Many times what doesn't get studied is as important as what does. It's Mike Harris's corporate pals who now make those decisions. The parliamentary assistant likes to talk about the fact they've got a new direction for workplace illness and accident prevention. Bull.

You shut down the Workplace Health and Safety Agency that again was 50% run by workers and 50% run by employers. You folded that, you killed it, and you put the mandate for that back in the WCB. In both these cases, the Occupational Disease Panel and in the case of the Workplace Health and Safety Agency, the reason they were created, the reason the mandate was taken out of the WCB and set up as independent entities, is because it didn't work. They didn't do anything. They never quite got around to it. It was separated out so that it could be focused on as a priority.

When the minister talks about the fact that she's reorienting and refocusing and re-engineering, all she's doing is taking the mandate that the Occupational Disease Panel had and the mandate that the Workplace Health and Safety Agency had and put them back into the mandate of the WCB from whence it was taken in the first place because it didn't work. That's the game plan there.

Two other things, and I probably won't get to both of them. One I want to talk about is the fact that you're eliminating mental stress, completely eliminating it. The parliamentary assistant said, "All we're doing is reflecting the fact it's not in the law of the WCB now; we're just codifying that." Not so.

Occupational mental stress has begun to be recognized by WCAT, but of course you're limiting the independence of WCAT so that can never happen again. That's where the first case was won. We had people come in from the Ontario Psychological Association, Dr Ruth Berman, the executive director. I asked her point blank: "We hear from the government the reason they don't support occupational mental stress is because it can't be differentiated between the day-to-day stresses that we all face in order to create a legitimate WCB claim." She's in Hansard on the record as saying yes, they can. They have the psychological tools to make that separation. She's not the only expert. There are others there. Anybody who studies this in the future will see them. They're all there to be looked at.

The fact of the matter is that you're only worried about dollars, and more and more people are going to be denied WCB who are legitimately ill because of the workplace, whether it's sexual harassment or whether it's technological overload or just downsizing and loading up so much work that no human can possibly comply. Those people will be denied. Ultimately what's going to happen to them? Ultimately they're going to end up on the welfare system and their medical costs are going to be paid by the taxpayer.

Who wins then? The employers, because they don't pay the WCB premiums. Who loses? The worker, because they're not getting a decent compensable standard of living that they're entitled to under the historic compromise of 1914. Who else loses? The taxpayers, because they're paying for the employer's negligence. You're always the ones who say you care about taxpayers. How come you don't care about taxpayers in this case? How come you don't care?

You talked about chronic pain. I'm down to my last minute. Chronic pain, you said, "Oh, we're going to take a look at it." The amendment, and it's right near the end, that takes care of that merely says that this part of Bill 99 does not come into effect on January 1, 1998, but is deferred until a later date to be decided by the minister. The only commitment she has made is to look at it. The way I see it, she's buying some time, she'll look at it for a while, but at the end of the day, through the effect of a regulation, she will enact what she was intending to do in the first place and hopefully everybody will have been forgotten, everybody except the injured workers who will be denied legitimate chronic pain compensation. They will lose.

At the end of the day, this government, the parliamentary assistant and the minister know that there's not one thing in Bill 99 that helps injured workers, but it sure takes care of your corporate pals. It takes care of them legally and it takes care of them financially. This is one of the most disgraceful pieces of legislation that this Legislature has ever had to put up with.

The Acting Speaker (Mr Bert Johnson): Pursuant to the order of the House dated May 29, 1997, I am now required to put the question. Mrs Witmer has moved third reading of Bill 99. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. There will be a five-minute bell.

The division bells rang from 1747 to 1752.

The Speaker (Hon Chris Stockwell): All those in favour, please rise one at a time and be recognized by the Clerk.

Interruption.

The Speaker: Clear the galleries.

Mr Pouliot: The poorest of the poor.

Interjections.

The Speaker: Members for Lake Nipigon and Scarborough-Agincourt, please come to order.

Ayes

Amott, Ted
Baird, John R.
Bassett, Isabel
Brown, Jim
Chudleigh, Ted
Clement, Tony
Danford, Harry
DeFaria, Carl
Doyle, Ed
Ecker, Janet
Elliott, Brenda
Eves, Ernie L.
Flaherty, Jim
Ford, Douglas B.
Fox, Gary

Hastings, John
Hodgson, Chris
Jackson, Cameron
Johns, Helen
Johnson, Bert
Johnson, David
Johnson, Ron
Jordan, W. Leo
Kells, Morley
Klees, Frank
Leach, Al
Martiniuk, Gerry
Maves, Bart
Munro, Julia
Newman, Dan

Rollins, E.J. Douglas
Ross, Lillian
Sampson, Rob
Saunderson, William
Shea, Derwyn
Smith, Bruce
Spina, Joseph
Stewart, R. Gary
Tascona, Joseph N.
Tilson, David
Tsubouchi, David H.
Tumbull, David
Vankoughnet, Bill
Villeneuve, Noble
Wettlaufer, Wayne

Froese, Tom
Gilchrist, Steve
Hardeman, Ernie
Hamick, Charles

O'Toole, John
Ouellette, Jerry J.
Parker, John L.
Preston, Peter

Witmer, Elizabeth
Wood, Bob
Young, Terence H.

The Speaker: All those opposed, please rise one at a time and be recognized by the Clerk.

Nays

Boyd, Marion
Bradley, James J.
Caplan, David
Christopherson, David
Churley, Marilyn
Conway, Sean G.
Cordiano, Joseph
Cullen, Alex

Curling, Alvin
Duncan, Dwight
Gerretsen, John
Hampton, Howard
Kennedy, Gerard
Kwinter, Monte
Laughren, Floyd
Lessard, Wayne

Martel, Shelley
Martin, Tony
Phillips, Gerry
Pouliot, Gilles
Sergio, Mario
Silipo, Tony
Wildman, Bud
Wood, Len

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 56; the nays are 24.

The Speaker: I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

It now being nearly 6 of the clock, this House stands adjourned until 6:30.

The House adjourned at 1759.

Evening sitting reported in volume B.

LEGISLATIVE ASSEMBLY OF ONTARIO
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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois

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First Session, 36th Parliament

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Thursday 9 October 1997

Jeudi 9 octobre 1997

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 9 October 1997

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 9 octobre 1997

The House met at 1833.

ORDERS OF THE DAY

RED TAPE REDUCTION ACT (MINISTRY OF FINANCE), 1997

LOI DE 1997 VISANT À RÉDUIRE LES FORMALITÉS ADMINISTRATIVES AU MINISTÈRE DES FINANCES

Mr Eves moved third reading of the following bill:

Bill 115, An Act to reduce red tape by amending or repealing certain statutes administered by the Ministry of Finance and by making complementary amendments to other statutes / *Projet de loi 115, Loi visant à réduire les formalités administratives en modifiant ou en abrogeant certaines lois dont l'application relève du ministère des Finances et en apportant des modifications complémentaires à d'autres lois.*

The Speaker (Hon Chris Stockwell): Mr Eves.

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): No further comment, Mr Speaker.

The Speaker: Further debate? The member for Scarborough-Agincourt.

Mr Gerry Phillips (Scarborough-Agincourt): I'd like to indicate that I will be sharing my time with the member for Kingston and The Islands and the member for St Catharines.

I wanted to comment on Bill 115, first to say that as a matter of operating principle I think it's useful to have a process where governments of any political stripe can update and modernize our acts. They do get out of date and we're very supportive of a legitimate process that allows any government of the day to update them. As a matter of principle, we have no problem with the approach of the bills. I think any government should have this kind of process in place. We have to constantly review our laws and our regulations and keep them up to date.

I've always argued that omnibus bills such as this are quite in order. The members will know that we all — at least all of us in opposition — had a very different opinion of the omnibus bill, Bill 26, which covered a broad scope and went well beyond simply updating our outdated laws and regulations. In the future this is the kind of process we would be supportive of. As a matter of fact, I think the previous NDP government had similar omnibus bills.

In an overview sense we are supportive of the bill. It offers some significant improvements. I would say,

however, that one of the trends that we're seeing is the government moving increasingly to taking away much of the public input and opportunity for comment. By definition, I suppose often when you are eliminating red tape, speeding up the process, modernizing, all of those things, if you're in cabinet you very much like that because it makes your job far easier. There's less scrutiny, you can get things done far faster and you don't have that messy process of involving the public. But we're here of course to serve the public. Running a government isn't quite like running a business. It isn't quite as smooth as running a business. The public wants an opportunity for input.

I would say to the members, as you look at the bill, in virtually every section Bill 115 moves away from the minister having to do things through regulation to letting the minister make the decision by himself or herself. By the way, I continue to remind ourselves that we're writing these laws for all future governments. Governments come and go, as all of us have experienced. I'd urge the members of the Conservative caucus to look at any bill and assume that some day there will be a party of another political stripe working on them.

Mr John Gerretsen (Kingston and The Islands): Two years, Gerry.

Mr Phillips: Who knows, but just make that assumption because that's what we're here for. In every section it says things. Various forms will be approved by the minister rather than prescribed by regulation. Fees will be established by the minister rather than prescribed by regulation. Forms for the purpose of the act will be approved by the minister rather than prescribed by regulation. For the purposes of occupancy tax, students' residences will be designated by the minister rather than prescribed by regulation. Forms will no longer be approved by the commissioner.

Virtually all of the bill is about taking away public scrutiny and letting the government of the day do these things without any public debate, any opportunity for public input. For people who are watching this, the jargon must sometimes confuse, but when you do things through regulation, there are two types of regulations, order-in-council regulations and ministerial regulations. At least an order-in-council regulation has to go to a committee where there's some scrutiny and it's available for the public to be aware that it's being dealt with, and if they've got a concern, at least to express that concern.

But, as with most of the red tape bills, this bill is designed to speed things up, to make cabinet more

efficient, to grease the skids, let things happen more quickly, take away public scrutiny and input. I repeat, it's often great when you're in government, particularly when you're in the cabinet, to approve a bill like this, because, believe me, it makes life simpler for the cabinet. But we are here to serve the public and I would just ask the members to bear that in mind as you look at Bill 115.

1840

The reason I raise this is that it's part of a pattern, and I think the Minister of Finance may even share my concern, although not to the extent I do. We're also dealing with another of his bills right now, Bill 149, which is the property tax bill, and also with Bill 160, which is the education bill, but the Ministry of Finance has a huge role in that bill. Just as in Bill 115, the public's opportunity for input and scrutiny is severely diminished. It's part of a pattern. I've said I am amazed that the government is giving itself, in Bill 160, the authority to set over one third of all of the property taxes in the province of Ontario without even having to take it to the public at any time.

I'm actually surprised that the Conservative back bench has not objected to this. The Minister of Finance simply signs a document and a third of all of the property taxes in the province of Ontario will be set by the Minister of Finance and the Premier — no input, no discussion, no dialogue. Many of you are former municipal politicians — reeves and mayors and councillors. I am surprised you are not objecting to that because I personally find it objectionable. I just don't think any government should give itself the right to set by regulation what amounts to \$6 billion of property tax income without any debate, any input, without ever having to even discuss it publicly. The first time the public will find out about it is when something called the Gazette comes out and in the Gazette is the property tax.

The reason I raise this is that you can see in these red tape bills a pattern to remove from public scrutiny much of what I think the public has a right to know and have an input on. It perhaps is no more dramatic than in the education bill. If any duly elected council in Ontario ever tried to set the mill rate in private, they would be thrown out. By the way, the minister, by regulation, can set the tax rate on businesses, and it can differ by municipality. The Minister of Finance can set different property tax rates on businesses. Bear in mind that for businesses this is over half their property tax. The Minister of Finance, by regulation, by the stroke of a pen, can set a different rate for different municipalities, different parts of municipalities, different classes of property, different subclasses of property, different portions of a property's assessment, different geographic areas and different parts of the municipality.

I object to it. I think that what we're seeing in Bill 115 is the start of a pattern, where the public will not have an opportunity for input. What I think should happen in something as important as setting the property tax — and bear in mind, this is the first time in the history of Ontario that the provincial government has tapped into property tax. This is the first time that the province has said:

"We're looking for a brand-new source of revenue — property tax. We're going to set the mill rate on businesses. We're going to do it by regulation and \$6 billion worth of taxes will be set by the minister, by the government, by the cabinet."

I said this before, but I guarantee you, if the NDP were still the government and Bob Rae brought in a bill that said, "I want the power to set over half of the business property taxes. I want that power and I want to be able to do it privately. I don't want to ever have to come to the Legislature and get approval for it. I'm just going to sign a piece of paper," Mike Harris, who used to sit right here, would be over the desk screaming at Bob Rae, who used to sit there. I remind ourselves, we are passing these bills; Bill 115 and Bill 160 will become law for this government and future governments. The then leader of the Conservative Party, Mr Harris, would have really gone ballistic.

Yet you find in virtually every section of Bill 115 — and it covers, by the way, modifications to probably 20 different acts. Bill 115 modifies 20 different acts. In every one of the acts the minister is giving himself the power to do what used to have to be done through some public consultations.

Bill 115 is amending the Loan and Trust Corporations Act. The amendments will authorize the minister to establish fees and approve forms, rather than have fees and forms set out in regulation, so the minister doesn't even have to pass a regulation.

I say to the members, all of us, "All right, we want to streamline things, but don't we also want public input and public opportunity to have some say in the way they're governed?" I think the Minister of Finance has some sympathy for our view. The other bill I mentioned, Bill 149, is the major property tax bill before us. In that case, the minister is giving himself 25 different cases where by regulation he's making decisions that used to have to be made through passing a bill, passing an act in the Legislature.

There are solutions to this. The solution is to do on the property tax what the government has to do on something like income tax. If the government wants to change the Income Tax Act to change the rates, it has to come here and get approval. That's legitimate. That's a process we should go through, so at least the public has an opportunity for some debate and some input into it, but no, on this particular one where \$6 billion of property taxes are going to be set, it will be done without any input, any opportunity for the public to know even what's being contemplated. The public will only find out on a Saturday when something called the Ontario Gazette is published. They'll look in there and they'll see the government has made a decision.

Why do I think all of this is important? I keep reminding ourselves that we're here to serve the public. All of us only represent them. We are here to represent the public. We're not here to assume unlimited powers unto ourselves, and yet these bills, all three of them — the reason I point out the other two bills is that there is a pattern in them.

I would say this particularly to the Conservative back bench because it is they who often say, "Not only do we want public input on taxes; if we're going to change taxes, we want a referendum, we want the public to have a chance to vote on it." You can't say that on one the hand and then on the other hand be supporting a bill that allows the minister to set the taxes, not only with no referendum but with no debate — nothing, just the stroke of a pen.

I would also say that giving himself the power to change rates within municipalities, by property classes — I asked in a briefing, "Is there anything he can't do?" No, pretty much this bill will give the minister unfettered taxing rights by decree. I would urge the members to look at it because the minister can say: "All right, in Oakville this will be the rate. This will be the rate on commercial. This will be the rate on industrial. In this part of Oakville, it will be one rate; in that part, another rate." The minister can do that and there is no recourse. Nobody can challenge it. It will just be issued. The other part is setting the residential mill rate. The minister there again will have the unilateral power to do that and there will be no debate. None of us can challenge that. There is no opportunity even to have a vote here in the Legislature.

1850

The reason I raise that is — I don't want to sound overly partisan here — this is a government that is centralizing power at the cabinet table in a way we have never seen before. The government now has complete control over education. You wonder why the teachers are upset? The government, with this bill, in addition to setting all the tax rates on education, will set every budget for the school boards, will negotiate all the contracts and will tell the teachers their working conditions. They'll be the only group that is negotiating with collective bargaining and having no say about their working conditions. The government, by decree, will tell them their working conditions.

Interjections.

Mr Phillips: The government may not appreciate what I am saying, but what we see in these red tape bills — and Bill 115, which we are debating now, is a finance red tape bill — is that every single paragraph takes power away from the people, power away from the Legislature and gives it to Mike Harris. I can see why the bureaucrats like this, because it gets away from the need for any messy debate and having to get some public input. It's smooth. I can see why somebody who may have come out of the private sector and run a company, owned it — "I'll do what I want" — how they may like it, because it's clean. You don't have to get any public input, you can just do what you want. But whoever was responsible for drafting these bills, the one group they ignored was the public. You just have to pick them up and you can see in every one of them that the opportunity for public input is gone.

Forms will be approved by the minister rather than by regulation. Fees will be established by the minister rather than prescribed by regulation. That's on the Labour Sponsored Venture Capital Corporations Act. The Land Transfer Tax Act: Fees will be established by the minister rather than prescribed by regulation. The Retail Sales Tax

Act: The minister is authorized to determine types of vehicles and their highway fuel consumption ratings rather than prescribing them by regulation. The Small Business Development Corporations Act: The act is amended to authorize the minister to approve forms in place of having forms prescribed by regulation.

In virtually every section, public scrutiny is removed. I say to the public, we're supportive of eliminating red tape and streamlining and getting rid of things that are out of date, but we've got to begin to draw the line, and a line that surely all of us except the cabinet can agree on is that I don't think it makes any sense to have the cabinet, Mike Harris — I repeat, if this bill had been passed before, think of Bob Rae, if Bob Rae could set property taxes on businesses, well over half of the business property taxes, with the stroke of a pen, no input, no debate, and could vary them all over the lot.

Interjection.

Mr Phillips: The member said it would go into the billions. Exactly. That's what Mike Harris wants.

Interjection.

Mr Phillips: The member says it won't. It will, because the government has already told the business sector: "We are going to extract \$3.5 billion from you. We're going to extract it, we're going to tell you to do it and then we'll tell you where to send the cheque."

As I say, we have been supportive of the principle of streamlining, of eliminating unnecessary red tape — I guess red tape is by definition unnecessary — but I just urge us all to look at the pattern here. We have a series of bills from the Minister of Finance. Every section of Bill 115 says, "We'll give that power to the minister rather than by regulation." Regulations have been there for a purpose, and that is to give the affected parties an opportunity to know when you're going to charge them more money. That's gone now. Bill 149, the property tax bill, takes out of legislation and gives to the minister 25 new rights. The other day the minister indicated that maybe they will back off on two or three of them, but all sorts of new rights to set taxes by regulation, and the most astonishing one to me is the education bill, Bill 160, where a completely unfettered right to set taxes is given to the minister.

So what appears to be a fairly benign bill and one that seems to have broad support has a broader theme — a theme of centralization, a theme of the Premier having the power to control things. It's nowhere more evident or obvious than in Bill 160, where now the mill rate will be set. I think the public will, as they realize what is happening, say: "Wait a minute. Who gave you the right to set" — for the businesses — "over half my property tax, never have a debate, never give me any input and do it all by regulation in private? I don't think so."

As I turn the floor over to one of my colleagues, I just say that we are supportive of proceeding with the bill. We have broad concern that it's more of a symptom in Bill 115 and more of a huge problem in Bill 149, the property tax bill, and Bill 160, the education bill, where we see it totally manifest itself in this total control of everything that Mike Harris seems to want. We hear him saying:

"You can't trust the school boards, you can't trust the teachers, you can't trust the unions. The only person you can trust is me. Give me the power. Trust me." I think the public have another view. The public trust themselves and in the final analysis they want to be involved in this decision, not some politician who wants to make all these decisions in a cabinet room.

1900

Mr Gerretsen: I'm very pleased to join this debate. I won't take very long, because I know that the member for St Catharines, who will follow me, will have some very important announcements to make with respect to what people may be reading about in the newspapers or seeing on their local television shows tomorrow morning. I'm sure they will want to know about this, so I advise everyone to stay tuned for the next 10 or 15 minutes and they will get some pre-news announcements, as it were.

I wanted to talk about something that was referred to by the member for Scarborough-Agincourt. It deals with this bill and what in effect is happening here. He gave a couple of examples as to the kind of powers that are now being given to ministers directly, whereas prior to this they could only be given by way of regulation. For the general public, what they should understand is that you're going to get the most public scrutiny on anything that's proposed if a law is passed on that because then it gets publicly scrutinized in this House on at least two readings of a particular bill and usually by way of public consultation and public meetings.

One step away from that kind of public scrutiny is if something is passed by way of regulation. Yes, there is still a certain type of public involvement but not to the same extent as there would be if a bill is enacted by this House. But if something is changed by way of regulation, at least an order in council has to be passed, a ministerial or cabinet committee has to get involved, and there is some scrutiny beyond just the scrutiny of that ministry and that particular minister.

What's happening in this bill is that — and yes, my colleague had it correct. I just counted the number of bills this act affects. It affects about 25 different acts, and in each and every case the result is exactly the same. I'll just read you the acts it affects: the Commodity Futures Act, the Compulsory Automobile Insurance Act, the Co-operative Corporations Act, the Credit Unions and Caisses Populaires Act, the Employer Health Tax Act, the Fuel Tax Act, the Gasoline Tax Act, the Income Tax Act, the Insurance Act, the Labour Sponsored Venture Capital Corporations Act, the Land Transfer Tax Act, the Loan and Trust Corporations Act, the Mining Tax Act, the Mortgage Brokers Act, the Motor Vehicle Accident Claims Act, the Ontario Guaranteed Annual Income Act, the Ontario Home Ownership Savings Plan Act, the Provincial Land Tax Act, the Race Tracks Tax Act, the Tobacco Tax Act, The Retail Sales Tax Act, the Small Business Development Corporations Act, and that's the entire list.

What happens in each and every one of these situations is this: From here on in, once this bill is passed, the

minister can authorize what forms are to be used in that particular situation and authorize the use of what fees can be charged in order to comply with that act. It will no longer be done by regulation. So any kind of public scrutiny, even though it was very limited if it were done by way of regulations, is completely taken out of the system.

I suppose all of us would say that's all right, it moves things along, until we ourselves are affected in one way or the other; until, for example, the land transfer tax is increased and then what happens with a new home buyer, when all of a sudden they realize they've got to pay more than what maybe somebody else paid six months before? That can all be done overnight and there's no longer any public scrutiny on that. I know for a fact that's one tax that has increased tremendously over the last number of years, and if it were to increase along the same lines, it would become a burden on anybody who's buying a piece of property. Yet with the changes that are being proposed here, we would have absolutely no control over that.

It is really symptomatic of what this government's all about. This government got elected on the notion that it wanted smaller government. It wanted less control, more localized control, and of course what it has done is exactly the opposite. There are a number of bills that clearly indicate this, but probably the best one that illuminates it all is Bill 160.

I didn't have an opportunity to speak about this yesterday and I just want to take a few minutes about some of the points that I think are very relevant. One of the points has already been raised by my colleague from Scarborough-Agincourt, and that is the \$6-billion, stroke-of-the-pen amendment, regulation, ministerial edict that can be signed by the Minister of Finance whereby he or she sets the residential educational tax rate and the commercial educational tax rate for Ontario. It is very well for the minister to say, "This year we need a total of \$6 billion from the residential property taxpayer." I think that's a commitment that's more or less out there — we're not 100% sure of that, but it's out there — because basically they said, "Next year we're only going to charge the residential property taxpayer 50% of the education taxes they paid last year in this particular year."

But who is to say that the next time more funding is required for education — and by the way, the way in which this government is going, that may be a long day off. But let's assume they're in a crunch and they want to get more money for education. They can have it in two different ways. They can either get it out of the general coffers of the province through the income tax method, or they can say, "All right, maybe this year we don't need \$6 billion from the property tax rate, but we'll make it \$7 billion." So all of a sudden your individual residential property taxes are being raised as a result of a decision that is being made by a Minister of Finance without any public consultation here at Queen's Park.

I think every residential property owner can determine right now from looking at this year's tax bill exactly how much you're going to be charged for educational taxes

next year. It's half, from what we've been told. But what I'm telling you is that when it comes to a crunch, the Minister of Finance can very easily increase that amount from \$6 billion, not by putting it on the general tax rate out of the general revenues of the province, but by placing a much larger amount on the local property tax rate. That can be done without any consultation; that can be done without any kind of debate.

Of course what they're hoping for under those circumstances is that when you get your tax bill and your taxes have gone up 20% and you run down to your local city hall and say: "What are you people talking about? You said you were only going to increase it 2% or 3% this year and my taxes have actually been increased something like 15% or 20%," the local treasurer or the clerk will tell you: "Well, look at that educational portion on your taxes and compare it to last year. What we have been charged by the province this year is more than we charged you last year on your local property tax bill." You can do that in Bill 160.

I know that most of the debate has been about the quality of education, about the way it affects our students, the way it affects our children, about teachers etc, but there's been very little discussion about how the money is actually raised on the property tax bill. I've only been around here for two and a half years, but I know of no other way in which the province of Ontario can raise \$6 billion to \$7 billion as quickly as by the stroke of a pen as to what that rate's going to be in any one given year.

The other one I find kind of interesting is this whole notion of equalized or market value assessment — oh, no, it's actual value assessment, but of course we all know it's the same — where everyone's taxes, on the basis of a fair system, will be based on the market value, the actual value, the current value of your property.

Of course, if we take a look at Bill 149, there are all sorts of classes within, let's say, a commercial grouping, an industrial grouping, that a local municipality can set up. It's even possible to do that within a residential rate. The end result is that if you had a property that is the same value in one part of town, if that local municipality decided to implement a different rate or a different class in another part of town, your taxes would be quite a bit different for the same value of property or the same value of house.

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We all know, by the way, that when you look back at Bill 160, there's much more to it than just a financial tax grab by the Minister of Finance that can be done by a stroke of the pen in setting the residential property tax rate. We know that it affects teaching in this province. We know it is going to affect our children in this province. What we should really also clearly understand is that the power of school boards, school boards that have existed in this province since 1832 — they were around some 30 years before you had organized local government in this province. School boards have been around since the 1830s. They have always had the power to tax their local residents on the quality and basis of education that they

wanted for their students. That was the whole initiation, the whole start of the school board system. That is totally done away with now. That's been totally done away with because school boards no longer will have any power left after these current municipal elections.

It's quite evident that is so, because in many, many municipalities around this province there haven't been enough candidates. There are some ridings, some wards or areas where there haven't been any. Nobody's come forward to offer themselves as candidates for a school board position. I think those people who have served on boards before, or who were thinking of serving on these boards before, realized that there won't be anything for them to do.

What are they going to deal with? About the only thing they can deal with, I suppose, are bus routings and things along those lines. But as far as having a say over the quality of education in their community is concerned, over what that community values and maybe wants to spend some extra money on for particular programs, the local school boards, because they no longer have any power of taxation at all, will become totally useless. I hate to say this, because I'm a great believer in local government and I'm a great believer in the power of local school boards. Unfortunately, that's gone by the wayside.

Bill 115, although it is in its outlines something that we can support, is at the same time, however, really — how shall I put it? It sort of shows that this government thinks that government is a business. As I've always said, government is not a business. If government were purely a business, there are many activities that you wouldn't be involved in because they're totally money-losing. They're non-productive. But I think when you're in government you also look after the welfare of all the residents, regardless of whether or not under certain circumstances they may cost you money. I think that is what is lacking.

Interjection.

Mr Gerretsen: Yes, I thought a plane was coming inside here, Mr Speaker, and we were getting ready for the parachute landings, but it didn't quite happen that way.

Mrs Marion Boyd (London Centre): He's picking up some of those folks who are leaving cabinet.

Mr Gerretsen: Oh, that's the way in which the cabinet shuffle is being handled. I see. They're airlifting people in and picking the other ones back up.

In any event, I won't take any more time because I know my colleague from St Catharines has some very important announcements to make —

Hon Mr Eves: I want to find out where I'm supposed to work tomorrow.

Mr Gerretsen: — so that particularly the members on the government side will know where to report for work tomorrow. Of course, we on this side know where we're going to report for work tomorrow — same old place, and we're going to fight this government tooth and nail for the next two years, as we have for the last two and a half years, because we really feel government should be about compassion, government should be about understanding, government should be about doing things perhaps in a

business-like fashion. But government is never a business because in government you deal with people and the needs of people change from time to time and are different from community to community.

Without any further ado, I will now yield the rest of my time to the member for St Catharines.

Mr James J. Bradley (St Catharines): I've been looking forward to speaking on this piece of legislation. I know it's a very important bill, and I am wondering which minister will be carrying this bill or a bill of this kind when we resume on November 17, because at long last the Premier has listened to me. All these days I've been saying to him as the ministers get up and answer questions, "Time for a shuffle," and now, at the end of the session, the Premier is finally shuffling the deck. People are moving around the cabinet. All those people who have been shining the Premier's shoes for the last while — his shoes are really shiny these days — and laughing at his jokes and applauding wildly when he comes up with one of his stellar performances in the House, one of his intellectual gems that he fires at the opposition and there's laughter and applause, it has paid off for some.

I have to tell members of the House, I can't tell all of you the whole story yet. I want to keep it a secret for tomorrow morning when you read the newspapers and their speculation, and then the official announcement. But I can tell you that despite the fact that many would have seen Ernie Eves, the member for Parry Sound, in the economic development and trade portfolio —

Hon Mr Eves: Do you mean I'm not getting that?

Mr Bradley: — where perhaps he could travel outside of Mactier and Nobel and places like that, Ernie is going to be left in the Ministry of Finance. I hate to break that news to him, but there he is; he's left in the Ministry of Finance.

I would have thought one person — here would have been a stroke of genius. A stroke of genius would have been to pluck — notice I said "pluck" — the Speaker from his chair and place him in a senior portfolio in cabinet, because I can't think of a more capable person previously on the government benches than the member for Etobicoke West. Now he's not allowed to use this in his campaign literature. I know there are some members of municipal councils and others who use others' quotes, but I know that this Speaker would not do it. But that would have been a stroke of genius. My friend from St Catharines-Brock would no doubt agree with me. To take the Speaker of the House from his chair and place him in the front benches of the cabinet, I'll tell you, would have been a stroke of genius. But alas, there seems to be a clash there somehow.

You know what's difficult, I think? When you become a Premier, there's a certain ego that goes with it.

Mr Tom Froese (St Catharines-Brock): How would you know?

Mr Bradley: I'm told. I'm only told that. And the ego prevents you from admitting that you were wrong and that you should have chosen someone for the cabinet.

The Speaker: I'm with you so far.

Mr Bradley: Alas, I say to the Speaker of the House, who is so demurring, that didn't happen.

But I can tell you that we have a new Minister of Education.

The Speaker: You should speak to the bill if you're not going to talk about me any more.

Mr Bradley: Well, I'll tell you, I'm wondering what stamp each of the cabinet ministers would have on this bill. That's why I'm going to go through them.

The new Minister of Education will be Dave Johnson, and the reason is, if you'll remember watching him in the House all the time, he never seems to get angry. He doesn't point fingers at the opposition. He has a smile on his face most of the time. He's a calm person.

I want to see him in a discussion with Earl Manners and some of my other good friends in the teachers' federation, people who have steadfastly supported the education system over the years, because they will find him a different person from John Snobelen, who had a certain personality that wasn't necessarily acceptable to many people in the teaching profession — I try to be kind when I'm using these various analyses — and that was a problem.

So now we will see perhaps some concessions to the teachers because, I'll tell you, the bugles of retreat are sounded every day. I have a feeling that the government has fallen below 30% in the polls and that there's a full panic on now and there's a need to bring new people in.

If I were given the choice, I would have elevated certain people. If you think of David Tilson, for instance, a very capable person, I would have thought David would be in the cabinet. I don't have any word on that. Cam Jackson has served long and with distinction in this House and has been a minister responsible for two different areas. If I were the Premier, I would put someone with his experience in a senior portfolio in the cabinet.

David Turnbull, a person who has had some senior responsibility: I would put David Turnbull in. But I didn't see David Turnbull walking around with a shoe brush and the shoe polish, and so I knew that his chances of getting into the cabinet were not necessarily that great.

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However, we're going to have a new Minister of Health, because the last Minister of Health is associated with hospital closings and a lot of cuts in the hospital area. So when the vault is about to open a bit, and I know from the Treasurer that that is the case, they want to have a new minister there to be smiling and giving out the money. Elizabeth Witmer of Waterloo North will be there to hand out the money to the various communities, and they'll call it reinvestment.

A new face in the cabinet: Mr Flaherty, our friend from Oshawa, will be in the cabinet. He's going to be the new Minister of Labour.

Mr Froese: Durham Centre.

Mr Bradley: Well, Durham Centre is Oshawa, isn't it?

Mr John L. Parker (York East): Not Oshawa, Whitby.

Mr Bradley: Whitby? I stand corrected: Whitby. He is going to be the Minister of Labour. I'm wondering what stance he will take on this bill. He has obviously served his Premier well.

Mr Wilson, the Minister of Health, will go to energy, a new challenge for him.

Mr Clement, who has served so well, who I have noted leading the applause on many occasions and who has the loudest laughter when the Premier tells a joke — no, not the loudest. Sorry, Tony. There have been other people in the House who have equalled you that I won't mention. He's going to be the Minister of Transportation of Ontario.

Mr Hodgson is now going to be the Management Board chair. He leaves a portfolio that I think he liked very much, natural resources. He's going to be the Management Board chair and he's going to have responsibility still for northern development.

I understand that my good friend Margaret Marland — they're bringing them in from all over the province. Margaret Marland has arrived and others have arrived from various parts. There are trains and buses and airplanes and everything arriving with the new ministers. She is going to be minister without portfolio responsible for children.

Mr Snobelen, the Minister of Education, will go to natural resources, the new Minister of Natural Resources.

Al Palladini, Minister of Transportation, is a good salesman, so he's going to go to economic development, trade and tourism.

Mr Saunderson is going to take a senior position, I understand. I don't know if it involves still being in cabinet or not, but it's a senior trade type of position.

I don't want to give them all away. These are just some of the changes.

Rob Sampson from Mississauga, I'm told, is getting a promotion. I thought he had already reached the highest position you can in cabinet as minister without portfolio, responsible for privatization. I think he can anticipate some increased responsibilities.

Isabel Bassett is here tonight, a very pleasant person to deal with. I thought she was good when she was deputy House leader, I want to tell you, because she was so good to deal with. I had to deal with some other people in the cabinet at the time — I'm not saying Ernie; he was okay too. But Elizabeth was very pleasant to deal with.

Mr Gerretsen: Isabel.

Mr Bradley: What did I say?

Mr Gerretsen: You said Elizabeth.

Mr Bradley: Why did I say Elizabeth? Elizabeth Witmer is pleasant too. But I'm going to tell you —

Mr Gilles Pouliot (Lake Nipigon): Where's Isabel going, anyway?

The Speaker: Well, member for St Catharines?

Mr Bradley: Isabel will be going to culture. She'll be a good culture minister.

Mr Mike Colle (Oakwood): And citizenship. She can give out all those plaques.

Mr Bradley: And citizenship as well. She's a very pleasant individual, a person who is easy to get along

with, a good, conciliatory person in terms of dealing with the opposition. I think we'll be kind to her for the first week in which we direct questions to her. We'll make sure of that.

So those are some of the changes. I want to keep some hopes up in the government benches. I know there are some there. I mentioned some of the people I would put in because of their experience and their knowledge.

Ernie Hardeman: I would look at Ernie for the cabinet. He would be good in municipal affairs, for instance. He gets along with people. You know what I like about him? When I'm speaking in the House, he looks like he's actually listening to what I'm saying, one of the few members who actually looks as though he's paying attention.

Janet Ecker is going to stay in the Ministry of Community and Social Services. That is the word. I am going to check with Sandra Papatello to see whether that's good news or bad news, but she will stay on there, and I know she won't be like Marie Antoinette saying, "Let them eat cake." I know she won't, because I know her too well.

Hon Janet Ecker (Minister of Community and Social Services): It's not good for your health.

Mr Bradley: It's not good for your health, she says.

Some of you thought Al Leach was leaving municipal affairs and housing. He's not. He's staying right there. He's going to stay the course.

One word I heard was that the member for Scarborough East, Mr Gilchrist, may be in charge of privatization. I would like to see Mr Gilchrist, or Steve, if I can say Steve Gilchrist, as the ambassador of this government. I would like to see Steve selling the message for this government, because I find that when he speaks in the House it resonates very well in many quarters. There he is now, and he has his new Harry Rosen suit on tonight.

Interjection: Just in case.

Mr Bradley: Just in case. I have informed the photographers they should come up into the press gallery to take photos of various members, so everybody look as though you're in the cabinet anyway, just in case you are, and they'll have some good shots.

I don't know how many of the family values caucus are going to be in, but I would like to see at least one or two in there to keep the rest of the cabinet in line. My friend Mr Spina last night was — what can I say? — expressive, and I am sure he has been chastised by some of his colleagues for the colourful performance he provided for members of the House when they angered him last night. I would have thought he might have been considered for the cabinet until that happened.

Whom else have we got? Norm Sterling: I think Norm will probably stay on as Minister of Environment. He feels comfortable in that position. Dianne Cunningham, who certainly could have been Minister of Education, will stay where she is. I believe Mike Harris is staying on. That's the news I hear anyway. Noble is staying in agriculture. Let's see who else we have. Dave Tsubouchi is staying where he is.

I don't want to give everything away now. I want to be surprised tomorrow when the list comes out, and I'm

going to be watching all the newscasts. I'll still be up at 3 o'clock in the morning when —

Mr Colle: What about Derwyn Shea? He should be a minister.

Mr Bradley: Derwyn Shea. There's a Toronto person. I saw him ask a few lob-ball questions in the House that made the ministers look good. He's the Chair, I'm told, of the Hydro committee. He may be a person who will be considered. But I want to leave the hope out there for some of my colleagues from the Niagara region. I want to leave the hope out for Tom Froese, my good friend from St Catharines-Brock, and Bart Maves from Niagara Falls. I want to leave the hope out there that somehow they will be considered for cabinet positions.

Mr Colle: Here comes one of the new ministers in now.

Mr Bradley: Here is a new minister just arriving, Jim Flaherty, from Whitby, Ontario. The limo is warming up outside already for Jim to take him back to wherever he is going tonight, and then back in for the cabinet tomorrow.

Mr Colle: When do you get the limo, tonight or tomorrow?

Mr Bradley: There are some perks, I'm told, to being minister, but in seriousness, it's a very difficult job. I want to tell all members of the House that it's very difficult to be a cabinet minister. When you are on this side of the House, as I have been most of my life, there is not quite the same degree of responsibility as there is when you sit on the governing side, and regardless of who they are and what party they are, I admire the people who take on the responsibility of cabinet minister, because it is a genuine challenge. I wish you well, not as well as perhaps you would hope, but I don't wish you any misfortune; let's put it that way. We on this side will be asking all the necessary questions to probe any weaknesses in the government, to bring out any policies that perhaps you're reluctant to share with us, but I want to say to the new ministers that you're going to find, at least in the initial stages, that people will be very understanding and perhaps even kind.

Janet, you got a good round of applause the first time you stood up. Remember?

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Hon Mrs Ecker: You've never done it again, Jim.

Mr Bradley: You know, I might again. If you were to resign because you disagree with the direction of this government, I would lead the standing ovation.

Hon Mrs Ecker: You will be the first to know.

Mr Bradley: I'm glad to hear that.

Anyway, I stray from the content of Bill 115. What I want the people out there to know tonight, who now know what the cabinet changes are, is that no matter what face is in any position, the real power will continue to reside in the back rooms of the Premier's office.

Mr Colle: With the whiz kids.

Mr Bradley: The whiz kids will still run the operation. You may be a new minister, people will carry your suitcases and open the door and laugh at your jokes now —

Mr Phillips: Return your phone calls.

Mr Bradley: Yes, they will return your phone calls now. Everything you say will have some degree of importance, but you should know that ultimately, just as they vilified John Snobelen and said, "Isn't John Snobelen awful as Minister of Education?" — I'll leave that judgement to some others. I want to tell you that while Mr Snobelen or Mr Wilson or anyone else might have been speaking, the script was really written by the backroom boys in the Premier's office, Guy Giorno and Tom Long and — give me some other names. David Lindsay is gone now but I'm sure he still phones in his suggestions. McLaughlin; the person you got from the Liberal Party out in British Columbia. What is his name? Here are the cameras. Get ready for the pictures. Anyway, I want to tell people that regardless of who is in the cabinet positions, the real power resides with the unelected whiz kids in the Office of the Premier. They are the ones who will continue to run it.

With regard to this bill, the problem I have — it's not innocuous but it's not a dangerous bill as long as the government doesn't use its regulatory power to continue to raise taxes. I have now counted the Conservative government of Mike Harris as being responsible for 478 tax increases. Do you know how I calculate? I calculate that because Premier Harris, when he was leader of the Conservative Party in opposition, said a user fee is a tax, so I have now counted 478 increases in tax since this government came into power.

Hon Mrs Ecker: Get a life, Jim.

Mr Bradley: It's obviously two wasted years — lost years?

Mr Phillips: Lost years.

Mr Bradley: It's two lost years that we have had under this administration.

Mr John R. Baird (Nepean): Get a life.

The Speaker: Order. Member for Nepean, you can't tell him to get a life.

Mr Bradley: I want to wish them all well. Those who may be departing to go to better things, I want to wish them well, because despite many of the differences we have, there is no personal animosity between those of us in the opposition and the government side. I hope members will always remember that.

The Speaker: Questions and comments? Further debate?

Mr Gilles Pouliot (Lake Nipigon): I take some pleasure in rising on third and final reading of Bill 115, a bill in the name of the honourable Ernie Eves.

But before I go to 115, I have with me a news release that I want to share with Mr Flaherty because I understand the member for St Catharines did a lot of speculation and there are a lot of nervous people. Many more are right by the phone anticipating that Mike the Man is going to call.

The press release relates to infrastructure, Canada-Ontario projects. It says —

Interjection.

Mr Pouliot: Well, it's tomorrow. "Somewhere in Ontario" —

Mrs Boyd: No, Tuesday.

Mr Pouliot: The Honourable Al Palladini will be attending the event —

Ms Shelley Martel (Sudbury East): What's happening tomorrow?

Mr Pouliot: There's a cabinet shuffle tomorrow. There are a lot of nervous people who are telling their spouses and their children: "Do not use the phone tonight. I can feel it: Mike is going to call. I feel right for it. I can feel it. I will serve the province in a new capacity."

Many of the backbenchers, when the phone doesn't ring tonight, "It's Mike calling," will be disappointed. All that energy, all that egocentricity, all that vanity goes for naught. We know we have a government that is somewhat in disarray. The question here is, will it be a full-fledged shuffle or will it be a shufflette or will they have an encore when those sitting ducks and duckettes start falling apart and just aren't ready to do the job? In January, Mike will convene them again and will dispense the ultimate favour, that of a cabinet minister with or without portfolio.

It's quite a lineup. Some of those Young Turks who see themselves as cabinet ministers, it's quite a step from a bicycle to the backseat of a limo. But they see themselves ready, they've served the revolution well and they can really, really do it.

We understand that the Deputy Premier, the Minister of Finance, might leave his present post and go to that of a full-fledged portfolio, that of tourism, but we'll have to wait until tomorrow. It is a ministry with portfolio. Mr Saunderson is going back to making money, going back to Bay Street, and that's okay. Isabel will benefit from the additional stipend, that of the Ministry of Culture, an excellent job.

Ms Isabel Bassett (St Andrew-St Patrick): I will never catch up with you, Monsieur.

Mr Pouliot: Madame, you will be right in your element: street culture and the culture of others and also deep culture. You will do very well. We want to wish you well. On this side we have a pool. There's \$20 in the pool. Mr Laughren put in \$5. Mr Wildman put in \$5. Mr Rae and Mr Cooke, the money is on the way, there's \$20 in the pool. So we'll see who will be successful.

Bill 115 is the most —

Ms Martel: Gilles, we have to split the time.

Mr Pouliot: We don't need the acquiescence, they've changed the rules again. We will be splitting time on cabinet speculation and also on 115.

The Speaker: Would that be with the member for Sudbury East?

Mr Pouliot: Yes. Bill 115, the most substantial of all the red tape bills, is so massive and it really deserves serious attention from the House, because this deals with no less than 42 acts and it repeals an additional nine. It will serve the government well. It's the light side of your red tape bills. There is a dark side that we shall get to in relatively short order.

This is good and I'm happy that the minister and the parliamentary assistant have taken some time off their busy schedule, and I know it's an anxious moment this evening, the eve of a large, overdue shuffle of the cabinet,

to be with us. It will give more time to the revolutionary cabinet to address other issues.

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Mr Bud Wildman (Algoma): Are you going to list all of those acts?

Mr Pouliot: Yes, 42 different acts; nine of them are being repealed. The summary, the very fine print, takes all of four full pages. This is quite impacting and it gives the Minister of Finance of the day more power. You don't have to go through regulations. They can rule by decree and sign the forms as if there is no problem. It's a de facto bill, Bill 115. But we will be supporting Bill 115 because we too believe in expediency, in getting the government off the daily business. People are filling in far too many forms and we will be supporting the bill.

Unfortunately, many of the other red tape bills are mere camouflage. When you start on the scrutiny line by line, you begin to understand the wicked ways of this regime. For instance, under some regulations you will increase the workweek to 50 hours before you get paid overtime.

Mr Wildman: What?

Mr Pouliot: That's right, and they're doing it under some other provisions.

The Minister of Finance — and this bill stands under his name, but there are also other red tape bills that represent more of the dark side, that really illustrate the gap between your promises, promises that have — well, they haven't been broken; it's just that they haven't arrived.

Take your tax break, for instance, Minister, with the highest of respect. It was to create a lot of jobs. You've said 725,000. There are more jobs. There's no question about it. There's a global recovery. Things are getting better. There are more consumer goods that are affordable. People have more confidence in the economy. But even with your tax cut it is very likely, since the unemployment rate has not decreased significantly, that you could well be short of the 725,000 jobs you were committed to. Yet, when you rolled the dice — and you made the choice. You were on the hook for 30%, and rather than pay down the mortgage, what did you do? You spent money.

Two and a half years after taking office, sir, with respect, every hour of every day you still spend \$500 more than you're taking in. People are saying, "The minister and his cohorts are managers of prosperity." You had a choice. You could have paid down the mortgage, paid down the debt and then rewarded the population of Ontario for belt-tightening, rewarded them with a tax cut. It's during good times that you must put some money aside for the rainy days when the cycle turns negative, but you choose to ignore the very basic, the very fundamental of every economic law. Kings would tell you that if you wish to spend your way out of a recession, make sure you have money in the bank that has been accumulated during good times.

The gap between rich and poor keeps on widening. You have an erosion of the middle class. None of the bills significantly address this growing problem. The poor are just as poor, if not poorer, the working poor are not being

represented by this government; they are not the ones who are benefiting from the tax break; *bien au contraire*. The rich do very well indeed.

This morning I was looking at the Report on Business of the Globe and Mail and it talked about chief executive officers. It talked about salaries and it talked about bonuses and stock options, and they're doing very well; in fact, 14% better than last year. That's 1996 vis-à-vis 1995, and 1997 promises to be just as good. They're running away from the field. Yet the middle class does not benefit nearly to the same extent, but you've hit good times. I want to wish you well.

It was this morning also when I checked the overnight closing and opening markets. Germany raised its interest rates. The day before, Mr Greenspan got up on the wrong side of the bed and talked about unrealistic expectations and it didn't take long. The All Ordinaries in Australia was the first one to react, followed swiftly by the Hang Seng market in Hong Kong. The Philippine currency took a beating. European markets opened; all of them went down significantly. It was a big hit. Even this morning Standard and Poor's futures were down at the opening by more than six points. Except for NASDAQ, Dow Jones spent the whole day trying to reconcile what has taken place by virtue of an announcement, followed by a real interest rate rise. It was two days before in Vancouver that Mr Thiessen, governor of the Bank of Canada, issued the same warning after having increased the prime by 25 basis points. The banks did what they had to do. They raised theirs by 50 basis points.

The government doesn't react. We don't see any announcements. At the same time, the irony of it — try to understand this — is that they lowered mortgage rates to an all-time low. The last time mortgage rates were this low Moses was around. It's been a long, long time. Then they'll hook people and then the monopoly will make sure they raise them again, and consumers will be left paying. There was an opportunity — not under Bill 115; we have no disagreement — under other bills for the last two and a half years to rectify what is really wrong and needs to be fixed.

I could go on about the gap between essential public services, the sectors of health, the looming crisis or confrontation on education. Time is limited. I've already pledged that the time would be shared with my distinguished colleague and friend from Sudbury East. Second reading of 115 was called yesterday at 20 to midnight and this will be the final chance at it.

I only wish that the government would have extended the courtesy, because it is a massive bill, it is quite impacting, to give a chance to members of the House to fully debate red tape Bill 115. But a few hours before we adjourn until November 17, they sort of twist your arm and they sneak the bill in. A little more cooperation and consultation with the official opposition and the third party could have avoided this and we could have developed the theme some more.

I wish to pay tribute to and thank people who work with the Ministry of Finance. Time and time again I see

them in the back; they were here until midnight last evening and they will be here — it's now 10 to 8 — until 8 or 9 o'clock again today. I thank them for their good counsel and assistance.

We will be supporting this bill. I'm anxiously awaiting the comments of my distinguished colleague from Sudbury East.

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Ms Martel: Mr Speaker, I know you're anxious to get home tonight too, to hear if your phone is going to ring, so we will not prolong this, although when we watched at supper at 6 tonight and saw much speculation on a number of media outlets about what will happen tomorrow, we thought we might sit until midnight because a lot of people are going to be here tomorrow anyway, given the shuffle. However, I do recognize that some people, like the Treasurer, will probably stay in his post and he probably wants to get home to Parry Sound tonight, so we will do the best we can to accommodate him.

I want to make a couple of points, though, this evening with respect to Bill 115. First of all, the bill is one of a number of red tape bills this government is putting forward. I believe the government has at this point put on the table in this House about 17 red tape bills, all of which they describe as bills which will streamline government, reduce regulatory control etc. This bill is the most substantial, not in terms of the content or the changes that are being made, but just in terms of the volume of acts that are being changed under this particular bill.

My colleague from Lake Nipigon said this amends or creates about 42 acts. I know the Liberals had talked about 26, but it being late tonight, they actually forgot to turn the page and the rest of the ones that are being changed are on the second page. So we have got some 42 acts that will be amended or created. We have another eight which are being repealed under Bill 115. As I said earlier, it is the most substantial of the government bills, not because of what is being changed, because there are other red tape bills which in my opinion are far more ominous, but just given the volume of acts, the number of acts which are being affected in what is an omnibus bill.

In terms of the content, one could argue that the changes the Minister of Finance is proposing in this bill are of themselves, and probably as a total package, benign or quite innocuous. Having said that, I want to say that I don't necessarily agree with the approach the government is taking, because despite the fact that the changes are fairly benign, are fairly innocuous — they will allow for a number of forms which traditionally, right now, have to be dealt with by regulation, to be dealt with by whoever is the Minister of Finance — the fact is that the approach really reflects where this government has been going on any number of bills.

That approach is to centralize control in the hands of a minister to make a number of decisions, so that decision-making itself and that whole process, which should be in the public domain, then takes place behind closed doors somewhere at Queen's Park, without the benefit of any kind of public scrutiny or public input. There is a real loss

through this bill of the ability of the public to know what is happening even if it is through the regulation-making process, because much of that is being wiped out.

That is part and parcel of where this government has been heading on any number of bills. My colleagues from the Liberal Party tonight talked about the changes in Bill 160, for example, where now the Minister of Education and Training will make a number of changes by regulation that used to be done at the local level, or where the Minister of Finance, who is sponsoring this bill tonight, will now set the mill rate for the entire province.

We have also seen a number of similar changes through other bills. One we debated last week, Bill 147, which also stands in the name of this Minister of Finance, where at the end of the day he is going to have the right to set the property tax rate on Hydro lands, on utility rights of way and on rail lands. So the direction and the approach of this government is quite curious, through this bill and a number of others. It is a government that used to say it cared about local control, about local government, decision-making at a local level through committees and councils. The fact of the matter is this is a government that through many pieces of legislation, and again through Bill 115 tonight, centralizes that control, takes that control and that power and that decision-making ability out of the hands of local property taxpayers, local school trustees, local politicians, local members of council at all levels, and centralizes that power in the control of a minister or ministers at Queen's Park, in a process that more likely than not is done behind closed doors.

I don't agree with that approach. I don't like that this is where this government is heading. We see it in any number of other forums, whether it's the limited time this government allows for public debate on certain bills, the limited amount of time it allows for public hearings across the province, the very draconian changes to the rules which limit debate. This is one other step in what has been quite an enormous effort by this government to keep the public out of a legitimate decision-making process, which is how this place, and then by extension, how the province is run.

In contrast to some of the other red tape bills, I said this one was fairly benign, but I should point out at this point that I worry a great deal about some of the other red tape bills that are coming. We'll agree with this one, we'll support this tonight, but some of the other things the government is trying to do which they would like to call streamlining, getting rid of regulatory control, really do represent fundamental change in what Ontarians have come to have already, either as rights or responsibilities.

Consider, for example, the change in the red tape bill that affects the hours of work. We know very well this government wants to extend the hours of the workweek in the province, and the government puts that forward as a choice for Ontarians at a time when many people are working harder than ever before, and at the same time their kids can't get a job anywhere. The government is going to move forward on a bill which extends the hours of work when at the same time we've got a youth

unemployment rate of 100,000. That is the highest ever in the province. For the life of me, I can't understand why the government wouldn't, if it really wanted to deal with the question of work, look at the ways and means the government could create more jobs by shortening the work-week, by limiting overtime hours and dividing up those hours among the thousands and thousands of young people who would like to work in the province.

The second red tape bill I have great concerns about is one that the government moves forward on pay equity, again to limit some of what women have achieved through legislation passed first by the Liberals when they were the government and then by us when we were in government. I would have thought the government would have learned a lesson with the court ruling on proxy pay equity, a lesson that is very clear: The government violated the Charter of Rights when it repealed proxy pay equity.

The court made it very clear that our government had spent an enormous amount of time working through the studies, working through what happened elsewhere, put a good system in place, and then the rug was just pulled out from under women's feet, so to speak, without any thought, without any real review given to what had been done. I would have thought the government would have learned a lesson from that, but we also know that another red tape bill that is being brought forward by this government will again limit pay equity that should be paid to people who deserve pay for the work they do in this province.

A third red tape bill the government looks at as well talks about changes to the Human Rights Commission process and a shutting down or a closing down of that process in a way that makes it much harder for people who want to file appeals, who want to go through that system because they believe they have a legitimate complaint. It makes it much more difficult for them to do.

Our party has serious concerns about some of the other red tape bills in the package of 17 that the government has put, but we will approve this one tonight, even though we also have some concerns about the public scrutiny that is taken away through the changes mentioned here.

So that the people at home who are watching have some sense of some of the changes and the power that is being shifted from regulation-making to the hands of the Treasurer in this case as the minister in charge, if you look under the Commodities Futures Act, for example, a whole section is added to the act that will enable the commission to manage, by directives, the matters formerly dealt with by regulations.

If you look under the Compulsory Automobile Insurance Act, for example, all the authority to prescribe documents and forms by regulation is replaced with the authority of the commissioner — the commissioner under the Insurance Act — to approve forms for the act, work the minister used to do.

If you look under the Co-operative Corporations Act, the fees for various purposes under the act will now be established by the minister rather than by regulation. The affidavit required to obtain a list of names of members or

security holders of a cooperative will now be in a form established by the minister rather than a form prescribed by the act.

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The third change under that same act: The requirements respecting the forms of amended articles of incorporation, restated articles, articles of amalgamation, and articles of dissolution will be approved by the minister, and the requirement for affidavits of verification are repealed, and various other forms will also be approved by the minister.

The fourth act that's affected, where you see power being taken away in terms of public scrutiny and put into the hands of the minister comes under the Corporations Tax Act: Waivers, notices of revocation of waivers, notices of objections to assessments, notices of appeal will be in forms approved by the minister, rather than forms prescribed by regulation.

Changes occur in the Credit Unions and Caisses Populaires Act, the Employer Health Tax Act, the Fuel Tax Act and Gasoline Tax Act, the Income Tax Act — for example, for the purposes of occupancy costs, students' residences will be designated by the minister rather than be prescribed by regulation — changes in the Insurance Act, the Labour Sponsored Venture Capital Corporations Act, the Land Transfer Tax Act, the Loan and Trust Corporations Act, Mining Tax Act, Mortgage Brokers Act, Motor Vehicle Accident Claims Act, Retail Sales Tax Act, Securities Act and the Small Business Development Corporations Act.

All told, the explanatory notes point out some 18 bills where issues that used to be dealt with by regulation, that would allow for some little public scrutiny, will now be dealt with solely by the minister, the Treasurer, the Minister of Finance, in this case, all done outside of public scrutiny, all done in his office centralized in Toronto.

While at the end of the day it may be true that a number of these changes will streamline the process, I think the minister has to recognize that had the positions been switched, had we as a government, for example, been looking at trying to amass such control for any number of acts into the hands of a single ministry in this government without any public scrutiny, their party would have been opposed to that. They would have cried long and hard about how undemocratic that was, how that removed public scrutiny, how that removed the opportunity for public input.

Here we have before us a bill, which in the case of the 18 I have mentioned, and in the case of a number of others, does just that: allows for processes that before used to take the public and public concerns into account to be wiped out and instead to have that power transferred to the hands of the Minister of Finance.

We hope that at the end of the day this may result in a streamlining, that this may result in less onerous work having to be undertaken by any number of corporations, co-operatives etc, but I say again that as a party we are very concerned about the approach we see reflected in this bill because it is so much a part of this government's direction which is, regrettably for the democratic process,

at the end of the day to try to find the ways and means to shut out public debate, public input and public participation in the most important thing we have in a democracy, and that is how this place works and in the end, by extension, how the laws that govern people are made.

I regret the government takes this approach in this red tape bill and the others because I think it's a wrong-headed approach. At the end of the day I really do not believe it's going to serve the democratic process well.

The Acting Speaker (Mr Bert Johnson): Questions and comments?

Mr Alvin Curling (Scarborough North): I want to commend the member for Sudbury East for pointing out to the government some of the direction it is going in, and I commend the cautious way she did it.

I would also want to say about this red tape bill that of course we'd like to streamline things, that things can be done more efficiently, but we must be mindful of the fact that while we like to have more efficiency in things, in a democratic society people would like to make sure their input and concerns are heard.

While we may try to hurry things along, we must realize that we could also exclude many of the most important facts we have. This government, I am sure, has learned by now, over the two years they have been here, that by rushing things thorough and omitting some of the most important parts of consultation they have been paying very highly for that neglect.

We have seen, even right now as we handle the education bill, how upset teachers are, how upset students are and how upset parents are, and that we can't rush down the line just because we want to hurry this thing for the bottom line, for money. I know the Minister of Finance, who is quite a concerned and competent individual, would like to balance the books and that he wants the money there, but somehow we have to keep reminding that minister that running a government or a province is not like running a business. Often I have heard the Conservatives say that.

I want to commend her for the excellent speech she gave, and they should be mindful of that.

Mr Cullen: In responding to some of the remarks that have been made about this bill, we all know that democracy is an untidy process. It's a process of accountability. It's a means by which government is controlled by the electors who pay the taxes, who give authority over to government to legislate, to run the affairs of the state that affect our lives.

I have to tell you that democracy gets in the way of government. The natural tendency for any government structure is to move towards efficiency because overview, democratic control, democratic oversight is inefficient. It means people who wish to have control over events must give way to other people's point of view, must provide time for consultation, must therefore change their mind if there is another party or a group of people who say, "Wait a second, you forgot about this," or, "Whoops, this is going to cause this difficulty here, intended or unintended," and

sometimes people are even forced to change minds, which for some people is very difficult to do.

That's why we're supposed to have a system of checks and balances. That is why we go through this sometimes cumbersome process of debate, discussion, consultation, what have you. But in the long run it is the wiser thing to do. The wheels of government may grind slowly, but through a democratic process, by having these checks and balances, it produces a better product.

All I can say is that by devolving all these powers to cabinet, by having rule of regulation, we fall back to the very roots of what caused the Renaissance, what caused the difficulties we had in the evolution of parliamentary democracy years ago, which was to balance the power of the king, the capriciousness of totalitarian rule. This is a step backwards.

The Acting Speaker: Does the member for Sudbury East wish to respond. Further debate? Does the minister have some comments?

Mr Eves has moved third reading of Bill 115. Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

2010

UNIFORM FEDERAL AND PROVINCIAL CHILD SUPPORT GUIDELINES ACT, 1997

LOI DE 1997 SUR L'HARMONISATION DES LIGNES DIRECTRICES FÉDÉRALES ET PROVINCIALES SUR LES ALIMENTS POUR LES ENFANTS

Mr Flaherty, on behalf of Mr Harnick, moved third reading of the following bill:

Bill 128, An Act to amend the Family Law Act to provide for child support guidelines and to promote uniformity between orders for the support of children under the Divorce Act (Canada) and orders for the support of children under the Family Law Act / Projet de loi 128, Loi modifiant la Loi sur le droit de la famille pour prévoir des lignes directrices sur les aliments pour les enfants et pour promouvoir l'harmonisation entre les ordonnances alimentaires au profit des enfants rendues en vertu de la Loi sur le divorce (Canada) et celles rendues en vertu de la Loi sur le droit de la famille.

The Acting Speaker (Mr Bert Johnson): Does the member have some comments?

Mr Jim Flaherty (Durham Centre): No further comments, Speaker.

The Acting Speaker: Further debate?

Mr Alex Cullen (Ottawa West): As we move through this stage in the progress of this bill, it's been very clear from reading the record that there is all-party support for the initiative that's being proposed today. I'm very pleased to see this go through the legislative process to its penultimate enactment.

But I have to emphasize what I said earlier in discussion with respect to this bill, and that is that even though

we're trying to harmonize our legislation with federal guidelines dealing with family support payments, the requirement for the non-custodial spouse to support his or her children who reside with the custodial spouse, the record in Ontario still falls far short. It remains still an uneven, difficult program within our province. We still have far too many single parents, particularly mothers, not getting their support in time, and this is money that has already been already to the government. The government has the cheque, has cashed the cheque. It itself is being derelict in forwarding the money on, most often to a single mother who is either trying to pay the rent or trying to pay the mortgage and look after her children.

I know the government still suffers from the credit rating that was given to it by the bond-rating agencies on Bay Street. I know it hasn't changed, not one iota, since the days of the previous government, the previous government having seen it marked down four times. But I would think this government would have the wherewithal to ensure that the cash flow was in place, that indeed the mothers, the single parents, the custodial parents who are looking after their children, would get their cheques on time and it would be up to the government to chase the derelict support-paying parent who is behind in their payments. This was so. I believe that was the intent. Is this not what the government said when it initially went into this, when it reformed the legislation, when it reorganized its ministry? That's what it intended to do. But alas, it is not the fact.

During the last by-election, and those members opposite will remember that was September 4, all through August and September, as I door-knocked in the riding of Ottawa West, I encountered case after case of single mothers still having problems getting their cheques in time from the government which, after all, has a multibillion-dollar operation, which has the ability to finance this current debt from the private market. You would think that in the ability to finance all of these things, all of this magnificent process, all these wonderful pension payouts, the whole bit, it would find the wherewithal to ensure that the cheques were going through to the people who needed them most.

When you shortchange someone who is on the low-income end, as most single mothers on this program are, then what happens? You have to pay the rent, you have to pay the mortgage and if you don't have enough money to give the \$10 for pizza day at school or to make sure that you have boots for your kids when it rains or to make sure — I can go through the whole list. If you don't have the money, you can't make it up, so the kids get shortchanged.

That is why the government has to be reminded again and again that the system it has in place is still not functional. As long as we have families who are in the hands of the government, as they are through the family support program, to provide them with the wherewithal to look after their families and children — and we all know that if we have these systems in place, then these families will not become charges of the state and cost taxpayers more. That was part of the purpose of this whole changeover in

system. The government would come in and be the middle person between the non-custodial, supporting parent and the custodial parent who had charge of looking after these children, and the children would be well looked after. Unfortunately, even though we try to improve things, it still remains not the case. That still is an unfortunate blemish that this government should be taking every step to remove.

It was just a month ago that I went door to door and found these cases. I say shame on this government. Yes, this bill is going in the right direction, but I say shame on this government for not devoting enough resources to clean up its act so that we don't have these shameful things affecting our children. Once you shortchange children, once parents have found that they are being shortchanged in their ability to care for their children, their children go to school, and what happens then? The children themselves are not on the same footing as others in their class who come from better family situations and it ultimately costs us all. If the children aren't on the same footing, then they have more difficulty learning, they have more behavioural problems — this is all documented — and we end up paying more for it, either through remedial education or through the inability to obtain appropriate employment and all the remediation that falls into place there.

These are all well documented. The ministry knows it up and down. It's been documented for 20, 30 years already. That's why we invest in early childhood education, that's why we put such emphasis on early childhood education. But when we place this emphasis there and we don't hold up the other end, if the government speaks so strongly about supporting families and even has a family values caucus, but in the end it is not providing the wherewithal to ensure that this bureaucracy has the resources to ensure that parents are being supported and that the full force of government is being focused on derelict parents who aren't providing the appropriate support, my Lord, what is the purpose of the exercise? How incompetent can the government get?

Again and again, I have to stand in my place here and just simply hope that the government on the other side moves into reviewing how it delivers its services here, because there's no point centralizing. This government loves to centralize, loves to cut down on bureaucracy, loves to fire civil servants. But unfortunately, when the civil servants are taken out, and it therefore compromises the ability of the program to deliver the public objectives, you have to say to yourself, "We've gone too far."

A wise government is a government that realizes that from time to time it will make mistakes — no government is perfect — that recognizes that it has made a mistake and can turn around, reassess, put in the appropriate resources and do the job it was damn well elected to do.

In the instance here of family support, there is no greater example of a public purpose that is so important to us all, which is ensuring that families who have been given the right to adequate shelter, adequate financial support by the courts — these are agreements entered into

or orders being given by the family courts in recognition that there is a requirement to provide so much to support these children. The government has said: "Okay, the system's not quite working well, we're clogging up the courts through enforcement orders. Therefore, we will step in, we will do a better job." For crying out loud, do the better job. Yet when I still find in my riding case after case where the government is not doing the better job, where these children's futures are being put at risk, then for heaven's sake, wake up, smell the coffee, do the right thing. That's all that we're asking here.

Time and time again members in this House bring to the government examples where the system is failing. For heaven's sake, at least show that you're listening, show that you're making the efforts. Make those investments, put those people in there to clear up the backlog so I don't get the phone calls, other members in this House don't get the phone calls from people who say: "Look, damn it, the government's cheque is late. My husband's cheque isn't late. In fact, I phoned him up. He's already paid it. The government has my money. Why can't I get the money that's owed to me that the government has?" There is no adequate response to that except for the government to put the appropriate resources in place and do the right thing.

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Our party is pleased to support the uniform support guidelines act and hopes that we put a better system into place, but the government itself has a responsibility, not to say, "Great, we've done a wonderful job, all's well," but to pay attention to the areas where it can do better, can do more. Here's a clear situation, and I know other speakers in the House will speak to it as well, where the government has to live up to its rhetoric and has to put the resources back in. This is one reorganization that simply went into overkill.

I have to say that I have had some personal experience with the notion of trying to deal with these issues on a transprovincial basis. The effort of this particular act is to try and make sure that what we have in place, what other provinces have in place, will ensure that scofflaws, those who are required to or have made the commitment to or have been ordered to look after their own children will be able to do so in other jurisdictions.

I have to tell you that in some circumstances it has cost families dearly, cost individuals dearly to hire the lawyer to go out of the province to make the pleading, to go into Family Court on other pleadings. Often it requires a great deal of tactical manoeuvring, if you know that your spouse is moving out, to try and initiate the action to enforce a court order, issued in Ontario, in another jurisdiction and all that requires. We know that has been very costly, not only in terms of the bureaucracy, in terms of the legal system, but it has been devastating indeed for those families left holding the can.

We all know, as a matter of fact — I believe members opposite should know — that the support payments that are by and large being ordered by the courts go in excess of what we consider to be the minimum support that the state gives, the province of Ontario gives, under family

benefits for a single mother with two children. Let's take that case of a single mother with two children and what is being advanced by the province and what is being awarded by the courts. Why is there such a difference? Why is there such a significant difference between the average of what the courts are awarding and what the province is giving out? What does the legal system know about the requirements to adequately raise a child in this province compared to what this government does and has already proven through its own cut in terms of welfare assistance?

Isn't it amazing? When I think back a year and a half ago, I was on the council of the regional municipality of Ottawa-Carleton and we were faced with a 21.6% welfare cut. Certainly, for those who are living in public housing, it was a clear recognition that those rents would go down, and indeed they did go down in those circumstances, because it's rent geared to income. That's a principle that's very important in public housing and social housing. It's a fundamental part of Canada's social safety net. I hope when we get into discussion about Bill 152 and the downloading of social housing on to municipalities, that will be a principle this government will protect, that social housing forms part of our social safety net and indeed that rent geared to income will remain a provincial standard, will remain at 30%.

Right now, if you go out and you try to buy a home, what the banks will say to you is, "What is 30% of your gross income?" "You qualify or you do not qualify for a mortgage" etc. So 30% is an appropriate level that's been identified, at least in the private sector, and has been the standard in place with respect to rent geared to income.

The reason I refer to this is that when the famous 21.6% welfare cut was put into place, those on family benefits, which in Ottawa-Carleton was around 17,000 cases, were somewhat sheltered by this effect. It didn't effect their shelter, it certainly didn't cut into their food, their so-called discretionary — isn't it amazing that food is considered discretionary? I suppose you don't have to eat as much. However, for those under general welfare assistance, which is what the municipalities fund 20% of today, of which we had almost a record at 27,000 cases in Ottawa-Carleton, their rents didn't go down. Why? Because they were in the private sector market. Their shelter allowance was cut, but their rents did not go down.

What did that mean for those families who were on the family support plan? For some of them who saw that their ability to get support payments, to go to the province to get funding to ensure that adequate shelter was being paid for, to ensure that there was adequate food — because if we don't give our children healthy nutrition, they do not grow up as healthy adults and therefore are at a disadvantage not only in terms of ability to find a job, but ability to learn and all that. All these things come into play.

That is why it is so reprehensible that the government can't say out loud, "Gee, we're trying to achieve this objective in terms of supporting families, so we are going to collect the funds from the support-paying parent," and make sure that those families aren't on our system because we don't want to put them through what people on welfare

go through, because it's a benefit to the state to make sure the non-custodial parent, the support-paying parent, pays their fair share, that indeed it ensures, it guarantees, it provides that automatic assistance and then chases the delinquent parent instead of itself becoming delinquent. It is an anomaly, if that's the right word. I would say "hypocrisy," but I don't think I can in this House. But it is the fundamental aspect, that we have to make sure this program is performing well.

I think I have exhausted my time on this issue, but I hope that some of my words will at least receive a fair hearing on the opposite side.

Mrs Marion Boyd (London Centre): I'm pleased to have an opportunity to speak at third reading of Bill 128. Over the period of time since this bill came in, and with respect to the previous acts that the Attorney General has brought forward concerning the family support plan, we have consistently brought to the attention of this government the sense of unreality we have around their claims that they are making the situation of receipt of support payments for children and for spouses better with the changes they have made in the plan.

We know, as the member who previously spoke talked of, that in our constituency offices we are seeing people who had not experienced problems before but now, of course, since the regional offices closed, since this minister has had such difficulty trying to implement what he talked about as changes in the family support plan, these constituents are numbering, in my office certainly, in the hundreds in the last few months, so it hasn't resolved itself at all. These constituents are saying, "Why did he break something that was a good program?"

It is quite true when the government says the program didn't work for everybody. There has never, ever been any dispute about that. Certainly when the Liberals put the beginnings of the program in place, when my leader, the member for Rainy River, was Attorney General and put the family support plan in place, and when I was Attorney General, we clearly admitted that we had difficulty in some areas collecting the support that was owed and that improvements needed to be made consistently in the plan.

So when we talk about the botched-up implementation of the changes in the family support plan, we are not in any way saying it was a plan that didn't need improvement. We weren't in any way saying that some of the things that have been put in place may not eventually make the plan better. Our concern was the way in which it was implemented, the lack of administrative ability, the fact that you see a ministry closing down a plan and putting in danger all of those who depend on the resources of that plan, and taking months and months to even have the office up and running, as my colleagues from Sudbury East and Welland-Thorold showed the people of Ontario.

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When we come to Bill 128, which brings our support guidelines under the jurisdiction of provincial law into line with the new support guidelines that came into effect federally under the Divorce Act at the beginning of May, we hope it will be a good thing. I can tell you that in my

years and years in working counselling women who had experienced marital breakdowns and hearing again and again that there seemed to be this price on the heads of children that somehow, whether the support payor was bringing in \$200,000 a year or \$20,000 a year, the price on a child's head seemed to be \$200. It was quite remarkable when you looked at case after case. It seemed almost as though that was the set amount in many cases.

Well, all of us who have raised children know that is not sufficient where the means are there to raise a child. Marriage breakdown is difficult enough for children to cope with, having separated parents is difficult enough, without that child being put in a position of poverty because of that breakdown. The stresses are remarkable in those circumstances.

We are very pleased, first, that the federal government went ahead with the work that had been in preparation over all the years we were in government, very hard work on the part of federal and territorial ministers and provincial ministers in this country to try and come up with a scheme that was going to give us a better chance of ensuring that children got the kind of support that their support-paying parent could afford to pay. And so we find the charts in Bill 128 and the charts in the federal plan giving a better hope that there is a more realistic picture of what the support is. We are pleased with that.

We are also pleased that the government of Ontario is including in this the provision for extraordinary expenses, because although there is a chart figure, if there are extraordinary expenses for a child, it is possible for the judge, in recognition of those, to order those extraordinary expenses. The extraordinary expenses most often mentioned might be school fees, where a child has special difficulties with learning and needs special learning aids, might be orthodontic services, might be prosthetic devices that are not covered in some way. It might be horseback riding lessons or piano lessons. It might be summer camp. There are many different extraordinary expenses that a judge will be able to deem over and above the cost that is predicted in the charts according to the income of the paying parent.

But there's a real problem. This bill is going to interact with the social assistance system in many ways, because quite rightly, one of the reasons this government and other governments are so strong on trying to enforce support payments is that very often if those support payments are adequate, then people are not forced to rely on social assistance. In fact, if you go on to social assistance and you are entitled to get some form of support, then you sign that over, and when and if it's collected, it goes into the provincial coffers to pay back the province for bridging the financing for that family.

But what is happening consistently with the social assistance services in this province is that if judges order these extraordinary expenses, the social assistance system is going to add the extraordinary expenses to the regular expenses, and that whole lump sum will be clawed back from the recipient. That's not the intention of this act and it's not the intention of the federal act, but I know from

provincial court judges doing family work that this in fact is what is happening. Increasingly those judges are saying, "There is nothing we can do, when we hear these cases, that's going to help in this situation," because the social assistance system in Ontario is not taking account of those extraordinary expenses and therefore the child is not getting the benefit the court has ordered.

Although we clearly are in favour of passing Bill 128, as we go through the hearings on Bill 142 and talk about the application of the new welfare rules in this province, one of the clear issues we will be bringing to the fore is the necessity for the social assistance system not to scoop back extraordinary expenses needed by children when those have been awarded by a judge, so that kids can actually get the orthodontic treatment the judge has recognized they need, so kids can actually get those special courses, those special educational opportunities. For the most part, those are the major items we see ordered in special assistance, in extraordinary support.

The other issue I would like to raise is that no law is worth anything unless it's enforced. We have made a great deal of the fact that this government has allowed to grind completely to a halt the enforcement measures that used to be common in the family support plan.

It's not hard to check how many enforcement proceedings the government is bringing in the courts of this province. It is quite dramatic that since they fired all the staff lawyers who used to bring those enforcement proceedings on behalf of both the province and as assistance to individuals who should have received those support orders, those enforcement proceedings have ground to a halt. They simply are not happening.

When we consider that approximately 30% of outstanding support payments are owed to us as the taxpayer, as well as the 70% that is owed to women, for the most part, and their children, who have a real need of receiving those support payments, then we know we have a problem. We know we have a government that is not prepared to invest in enforcement, even though the family support plan consistently proved again and again that the cost of enforcing support orders was repaid 30-fold in terms of what was collected. There are many examples of that in the history of the plan. Yet we see a tremendous falling off of enforcement over the last few months.

It may be that the Attorney General was waiting until the driver suspension program got into place and hoping that would take up the slack. But there's a lot of experience with the collection of support payments and there's a lot of very good advice the minister needs to hear about the fact that that factor alone, without enforcement, is not going to do the trick.

While we are quite happy to be supportive of the province bringing into line with the federal government the guidelines around support, we are very sceptical that we are going to see the kind of consistent enforcement that has been promised by this government. There is no evidence that's happening and there is much evidence every day in our constituency offices that it is not.

I got a tally of my September and August constituency requests for assistance. Family support is way up there at

the top in terms of issues, even though this is the season for OSAP problems, even though this is the season for changes in people's income as those receiving social assistance go back to school. There's a lot of adjustment that needs to happen, and we're all used to the kind of requests we get in the fall of every year.

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We will certainly be supportive of Bill 128, but we will in no way stop criticizing the government for the way it has been neglecting to enforce the very serious matter of family support, while at the same time claiming that it has revamped and revised the system and made it a system that is the best in Canada. The joke is, it always was the best in Canada. What this government did with the family support plan was take the most effective and the most cost-effective support plan in the entire country and destroy it.

With the tools this bill gives the courts and gives those seeking support payments, with the assistance this gives the court in making those decisions, we hope we will see a renewed commitment on the part of this government to actually enforce. If we don't, it'll all be for naught.

My last point is the point my leader made last time we debated this bill, and that is the very serious issue of the variances people are going to be demanding to go through court. In the federal system and in our system, these new guidelines don't go into effect unless you have a new order. It will only go into effect on federal matters from May 1, 1997, and I believe when this bill is proclaimed that will be the effective date.

The problem is there will be many people who want to apply to the court for a variance to bring them into line with these guidelines. We have seen no plan, although we have consistently asked the Attorney General how he is going to handle that huge influx of variance requests and how both the payors and the payees are going to get the kind of legal assistance they need to make those variance claims. That's the only way this bill will make a difference to those 150,000 people we now have on the family support plan.

There are a lot of unanswered questions. We'll certainly pass this bill, but we hope that in the coming days we're going to see an Attorney General much more willing to explain in a transparent manner how he is going to change the disgraceful record that has pertained so far.

If I might be so bold, if this is an effort we're going to see tomorrow to put a brand-new face on government, one of the aspects of that brand-new face could be a mouth that opens and closes and gives some real information to people who are desperate for it.

The Acting Speaker: Questions or comments?

Mr John Gerretsen (Kingston and The Islands): The member for London Centre has raised a very valid point, that the number of requests for variances that will come through our court system once these guidelines are implemented will be just humongous. I don't know how the system is going to deal with it in a satisfactory and an efficient manner. That's the first thing.

Second, I don't know how the people who will request these variances are going to finance it, because we all

know what's happened to legal aid in this province. We know that the number of certificates issued last year, for example, was 14,000 compared to over 50,000 just the year before that. It's down by a third in just a matter of two years.

It really points towards the central issue, a matter that I've talked about a number of times in this House. It is great to pass a law that looks as if it's fair and equitable towards all those concerned, and certainly the guidelines that are being implemented here fall within the category. But it is quite a different thing to make sure that these new guidelines are being applied in a fair, consistent manner from an administrative viewpoint.

I am not sure, taking the track record this Attorney General has with respect to the family support plan and the total mess that was in, that the kind of administrative structure necessary to make sure that the implementation of the guidelines as set out in Bill 128 will be properly applied throughout the province in an efficient manner will happen. So once again, I ask the Attorney General to get his act together, to make sure that this department is totally organized so that once the guidelines come into effect, they will be dealt with in a proper manner.

Ms Shelley Martel (Sudbury East): I want to commend the member for London Centre for her comments tonight and follow up where she left off, which is to say, God help all those women and children if these support guidelines are implemented in the same way by this Attorney General as he has implemented the restructuring at the family support plan, because we continue today, a year and some after this government decided to close the regional offices of the family support plan and lay off 290 staff, in a position where daily in my office the highest number of calls we receive and the highest number of problems we get from people coming through the door still relate to family support. There has been absolutely no improvement in the system to date.

It has been a year since this Attorney General decided that he was going to take 35% of the budget of the family support plan, give it to his colleague the Treasurer to help fund this government's rich friends and at the same time put thousands and thousands of women and children across this province into financial hardship, and that hardship continues today.

While we support the bill this evening because it's the right thing to do, and we do hope it's going to benefit recipients and children, I must say that we are very sceptical of the ability of this Attorney General to deliver because in the last year since he made the cut to the family support plan, he has delivered on nothing. He has proved to be completely incompetent when it has come to managing this plan. The changes in Bill 82 that he wanted so desperately to pass have yet to be implemented. Not a single cent of arrears has been collected to date, despite the fact that the bill was passed in December. God help all those women and children if this is implemented as badly.

Mr Alvin Curling (Scarborough North): I just wanted to grab a few moments to speak on this. Of course it's been long awaited. If there's any other issue in my riding beyond the teachers' bill it's this one, the family

support regulations, to put something in place that should have been there a long time ago. This minister, with all the shouting, with all the appropriate questions, delayed this process for such a long time that many, many families were denied their proper support due to the neglect and the way this case was handled. Now that we have had cooperation bringing it together with the federal and provincial regulations, we may have something appropriate to deal with and some better guidelines to follow.

But I want to say that the pain and suffering that many of the families have undergone because of — I was hesitating to use the word a couple of months ago but now I can say it — the incompetent manner in how this was handled by the minister is unacceptable. In certain instances, many ministers would have resigned by now in shame, but we have shouted and asked very appropriately how we were to deal with this situation. What he did first, as you know, was dismantle what was in place without having anything proper to put in place. People suffer under those processes.

I welcome this now, that we can have something that we can have a guideline on, but again, many of those families who suffered in the past will never forgive this government for the very insensitive manner in which they carried out this process. So I also will support this.

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Ms Marilyn Churley (Riverdale): I'm pleased to stand and compliment the member for London Centre once again. I've heard her speak on this bill before and she clearly has analysed and carefully studied the bill and of course has always said that she supports it.

The issue here is one of what happens after the bill is passed, because as the member for London Centre and the member for Sudbury East said, we have witnessed the Attorney General make a complete mess of the family support plan. Also, the enforcement tools were given in Bill 82, which was passed before Christmas, and not a single penny has been collected — not one cent.

What does this mean to the women and children of Ontario? It's all very well for us to stand here and say nice things about how important — and this is important. We support it, but we don't have any faith in this Attorney General and this government to be able to implement the very basics of making the system work.

We're all hearing about a cabinet shuffle taking place and we've been looking with interest to see who's moving where. At least the gossip I've heard is, the Attorney General is still going to be the Attorney General. I would say there's been overall a lot of incompetence. In fact, I would say that this government is in real chaos and that's what this huge shuffle is all about. Yet the Attorney General who has —

Mr James J. Bradley (St Catharines): In full panic.

Ms Churley: In full panic, yes — has messed up the family support plan and ruined the lives of thousands of women and children in this province should have been removed.

The Acting Speaker: The member's time has expired. The member for London Centre has two minutes to respond.

Mrs Boyd: I want to thank all the members who responded. I think, Mr Speaker, it would be very clear to you how deeply people feel about passing a bill that may not have any effect. We all agree with the intent of this bill, that's quite clear, but we all have real apprehension that it is going to make the kind of difference it ought to make in the lives of women and children. Basically I think it's always a strange feeling in this place when you have reason to believe that you are passing a bill that has the potential to make life better for a large group of citizens in this province and yet you fear that the very government bringing that bill forward does not have the competence to make that dream a reality.

I think it is very offensive in the eyes of many people when a government holds out hope and claims to be able to do something which it doesn't do. Frankly, the previous bill, which set up the Family Responsibility Office, is a really good example, because there was all this pressure and all this political mumbo-jumbo about our holding up the bill and yet it was only, what, at the end of September — September 30 — that the provisions that were most likely to be useful in that bill in terms of enforcement were even proclaimed.

You can understand that as we pass this bill, we are issuing a very, very clear message to the government. If this does not have appropriate enforcement, it won't work any better than any of the other measures that have been taken. We urge the government to begin to pay attention to the implementation of its laws, not just the passage of them.

The Acting Speaker: Further debate?

Mr Mike Colle (Oakwood): In regard to Bill 128, there are obviously some much-needed initiatives here which do some housekeeping and also attempt to deal with long-standing problems with spousal and child support. It certainly provides greater access to support for women and their children.

What we're perhaps able to do here tonight is put this in perspective of the whole issue of child support. As you know, the government earlier this year undertook to make massive changes to the family support act and that proved to be quite a black hole of confusion and disarray. The government, before undertaking this massive change in the family support area, closed down the regional offices, and subsequent to the closure of the offices you had such a storm of confusion and anger from parents and children who were affected by this that I think the government will admit they made a big mistake in the way they handled that. They made the mistake because I guess they're just trying to meet these so-called financial targets without thinking of the human implication of it. Nothing illustrates that more than the way the government's handled the family support area, where they arbitrarily chose a date without looking at the human impact of what they did.

Maybe this is something this government should learn from, that rather than doing things arbitrarily, without looking at the impact on human beings, on children and those who are going to be subjected to the changes in laws like the family support act, they should evaluate, as I say, the human dimension of what they're doing. Too many

times in the last two years this government has moved ahead in a reckless fashion without looking at that human impact.

I know many in the government still will not learn from the horror story we had earlier this year where we saw all those files in boxes haphazardly stored in a central office here in Downsview. We know that the result of that haphazard direction, without looking at impacts, caused a great deal of hardship to people.

I know my office, as probably your office, Mr Speaker, and a lot of other offices across Ontario, got calls from parents who were distraught, families who were unable to get income they had been getting as a result of family support agreements. All of a sudden, that dried up. I know those calls came to all three parties. They weren't partisan calls. Most of those people who called asking for help were legitimate citizens who had been forgotten in this government's haste to change the family support act.

As we know, the act has always been a challenge for any government. This whole area of family support is a challenge because of the intricacies of it, the legal implications, the Family Law Act and how complicated it is. Bill 128 at least goes in a positive direction, and hopefully the government will never again try to implement such a dramatic change as they did earlier this year where they essentially forgot what government is about. This government prides itself on being run like a business, but even good businesses run with the customer in mind. In other words, you don't change business practices. You don't close down a business unless you consult the customers. When the government passed these family support changes earlier this year, it didn't consult with the children and the families who were the victims or, you might say, the customers of the family support services.

Hopefully this will never happen again, because it's just like when the first thing this government did for families was also the arbitrary, unilateral cutting back of social assistance by 22% across the board. The government didn't stop to think or didn't want to think about the fact that when you arbitrarily cut social assistance 22% across the board, you had over 120,000 children affected by the arbitrary cut, 120,000 children whose parents were under social assistance. So you not only cut the adults, you cut the children who rely on those parents for basic necessities. A lot of children are still suffering the consequences of that arbitrary cut and they have no way of escaping that, because if their parents aren't getting the assistance they were before, it's certainly going to be very difficult for them to get any kind of basic necessities, whether it be clothing, proper nutrition etc.

I just hope that we do see a government that perhaps begins to realize there is that human toll, there is that ordinary person who is not involved in the political machinations of this place, but they are ordinary citizens who are looking for a government that at least takes into consideration the fact that they have needs and they can't take care of themselves all the time. Whatever government does will sooner or later affect people who are vulnerable. That's what the government did earlier this year when it

arbitrarily affected people who could not help themselves and made them even more vulnerable.

2100

At least with Bill 128 we see some attempts to ensure that there are amendments to the Family Law Act, that there are directions to the courts whereby more attention can be given to the human deficiencies out there whereby people through no fault of their own are involved in very unfortunate circumstances. They cannot resolve these problems by themselves and that's why they need government.

I know some of the neo-conservative zealots feel there's no place for government anywhere, but there is a place for government in helping people. They don't have to be there all the time, but government has to help people, especially children or people who are subject to problems in their marriage breakup or problems of health. You need government to help you, to nourish you and at least to give you that helping hand, and not to take the rug from underneath your feet. That's what they did earlier this year and I hope it doesn't happen again.

On this night of what I call the Thanksgiving shuffle, the turkey shuffle, where the cabinet is being shuffled, where they're getting some new faces in, some new blood in, possibly the new cabinet members will remember the family support fiasco, and when they make decisions will remember that the decisions they make affect people who in many cases depend on government to be fair. That's what they're asking of cabinet members, that they do not think or act in isolation. The well-to-do in society are generally able to take care of themselves. It's the people who are vulnerable, the people who are under financial hardship, in many cases like marriage breakups etc, who need some kind of support.

I hope the new cabinet members, and I see a few of them across the way, will take heed and learn their lessons from the family support fiasco earlier this year, where this government was just totally reckless in its approach, forgot the needs of ordinary Ontarians, who weren't asking for intervention, were just asking for fairness. At least Bill 128 is a small step to correct the mistakes made by the Attorney General earlier in this mandate.

I'll close with those remarks and hope that lessons have been learned.

The Acting Speaker: Questions and comments? Further debate?

Mr Flaherty has moved third reading of Bill 128. Is it the pleasure of the House that the motion carry? It is carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

COMMUNITY SAFETY ACT, 1997

LOI DE 1997 SUR LA SÉCURITÉ DE LA COLLECTIVITÉ

Resuming the adjourned debate on the motion for third reading of Bill 102, An Act to improve community safety

by amending the Change of Name Act, the Ministry of Correctional Services Act and the Police Services Act / *Projet de loi 102, Loi visant à accroître la sécurité de la collectivité en modifiant la Loi sur le changement de nom, la Loi sur le ministère des Services correctionnels et la Loi sur les services policiers.*

Mr Alex Cullen (Ottawa West): I rise to speak on Bill 102, the Community Safety Act. It is an act that of course our party is in full endorsement of. We know this is an act to try and improve community safety through providing legislation to ensure that there is proper information with respect to dangerous offenders, that where public safety is put at risk, information can be made available to the public through the appropriate authorities, and furthermore that the appropriate administrative arrangements are put in place so information can be exchanged with respect to name changes and the very rare but disturbing cases where people may be changing their names to cover their tracks and yet are people whom we, as a community, will need to know something about because of their anti-social behaviour and their danger to society.

I support this bill, but I have to say I am concerned that in dealing with this bill we build in the appropriate safeguards, because we are dealing with a balance between individual rights and the rights of society. We all know we have a public process where people are convicted, where people are proved through a court of law to be dangerous, that we have a process to deal with that.

Once they have served their punishment, they have paid their debt to society and in 90% of the cases the issue is moot; we don't have a problem any more. Unfortunately we do have those in our community for whom, for whatever reason, a prison term is not sufficient to alter their behaviour. They are either on the verge of becoming dangerous repeat offenders or are dangerous repeat offenders. Where the justice system allows for prison terms to be finished and where people are released, there ought to be an ability for those in authority to provide the information to our community.

What I want to suggest to the government is that this not lie simply within the purview of an individual, because as we know through the evolution of our civilization, individuals from time to time get swayed by emotional concerns and sometimes make inappropriate decisions.

That is why when the police want to go and investigate your home, they have to go to a judge and show cause to a judge, a third party, who then says: "Gee, boys, I think you're right. Here's the warrant." Being reasonable people, the police, knowing they have to go to a third party, have to present reasonable grounds to justify a warrant and therefore get one. But it certainly means that the police do not have the ability, because of having a bad day or whatever, to invade your place of residence.

Similarly, when we start talking about publicizing the whereabouts of an individual who has already paid their debt to society through our justice system — they may pose a threat. We saw in Ottawa-Carleton a situation where the police did provide the name of someone who

had been a predator with respect to juveniles, to minors, where that person was set upon by members of the public and was beaten on the street.

That was a violation. This person had not committed a crime. The point of giving out the information was to tell the community, "Be aware of this person," to provide more public scrutiny on this person, to be aware of this person. This person's behaviour would be therefore constrained and people could protect themselves and take note accordingly. It was not to provide a licence to go and beat up, to assault a person who was living a lawful life.

This is the delicate balance we have to here. That is why I believe it's important that when the police have information they wish to make public, they first have this checkpoint, this balance point, that they go to a judge or a justice of the peace and show cause to explain why, so it's not just on a whim, a caprice. Capriciousness was the hallmark — I hate to be historical on this — of kings. We know what Parliament ultimately did to capricious kings; they took off their heads. It happened in England, it happened in France, and therefore we brought in the rule of law, due process.

I have to say this time and again because this is a government that's heading down the road of kingship in so far as more and more power is being given to cabinet, being given to individual ministers to issue edicts without proper checks and controls. We saw what happened in Ottawa with the mere publication of a potential predator who had not done anything wrong: The inappropriate, illegal action happened where he was assaulted on the street, not once, not twice, and was driven from his abode. How can someone who has paid their price by serving their time in prison go through the adjustment in our community when we continue to point them out, to isolate them and to therefore restrict their ability to adjust and live normal lives?

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What I'm saying is that this act delivers rather extreme power and it has to be used judiciously. The only time the police should be able to publicize the name of a threat to the community is when it is genuine, and if it is so genuine, then any reasonable justice of the peace or judge would be able to say so. Therefore, that kind of step should be there.

We're not talking here about the police sending out, "Listen, Joe Blow spent two years for shoplifting and he's in the Bayshore Shopping Centre now." We're not suggesting that. We think that's inappropriate.

Interjection.

Mr Cullen: I know where Bayshore Shopping Centre is, member for Nepean. I used to represent it on regional council. I've been there many times and I've even met other members of my community there. The point is, though, that is a communal place and one ought not to be driven from it because one's going about one's lawful business.

Even though there is good intent here, again it's a question of striking the right balance. We are dealing with balancing the needs, the rights of the individual who has

served his time, who has the right to live a life lawfully without being impeded by other individuals, and the right of the community to know that so-and-so, who has a history of preying on children or minors or what have you, is living here.

It would actually surprise the population, considering our rates of criminal conviction over time, how many people who have made a mistake once in their life and now, 20 or 30 years later, are living in our community. You just check the records there. I'm sure you will find that the incidence is over two or three per thousand, which, if you look at a community of 10,000, means you're dealing with a dozen to two dozen people who have committed some criminal offence and have paid their time and are now living peacefully in the community.

It is an issue of trying to balance. I have to draw this to the attention of the government, because it's too easy for any government, for all governments to try and extract power to deal with this issue and then misuse this issue downstream. This is why civil libertarians are always conscious of the intrusion of the government into the private affairs of people.

We're not saying that in the instances that are being suggested here the definition of "dangerous offender" is inappropriate. It is absolutely appropriate here. What I'm trying to say is, this is awesome power, strong power. You go back to the days of hazing, you go back to the days of the puritanical societies which we've said we've long evolved from, but it was only two centuries ago — think of it, two centuries ago; we're only talking five or six generations ago — when people would be stoned in the community, despite laws, despite the commandment "Thou shalt not kill," for simply unsocial, inappropriate behaviour.

We've developed a process of checks and balances. We've developed where someone gets charged with an offence but is innocent until proven guilty, and even though all of us may think that person is guilty, we all saw it on TV, there's still a reason why we have due process.

The issue of naming someone who has not committed an offence — they committed an offence before, they've spent their time in jail, they've been appropriately punished, but they're living their lives now, they have not committed another offence, yet we're naming them: "This person is likely to do X, Y, Z." We have to be very careful with that and not simply leave it in the hands of the police, because the police — Lord love them, I've been with the police in my own municipality, gone out on the ride-along program and understand the difficult task they do. They're there to serve and protect and they do an excellent job. But they're human like all of us, and one has to be very careful that one does not ruin someone else's life by making an injudicious and inappropriate decision by letting loose to the public that so-and-so is a dangerous offender and might do something in our community.

What is the community to do then? Try and protect itself. The beating that happened in broad daylight of a person who was named by the chief of police as having a history of child predation is wrong, is uncivilized and not

to be promoted. It's not the kind of reaction we're looking for when we pass this kind of legislation. The point of the legislation is not to create vigilantes, but simply to provide the parameters where the community is informed, the potential predator is informed and the proper help is given.

Giving this kind of information is only part of the process. We have to think in terms of additional help in trying to reintegrate the unfortunate individual who has a behaviour that's inappropriate, that's dangerous to us. We have to find ways and means of dealing with it. We simply cannot lock them up and turn the key.

Some people may say that's the only thing to do. Heaven knows, in the past 50 years we've made tremendous advances. Whereas 100 years ago someone might have been hung by their neck until they were dead because of an offence, we find today that with proper medication they can provide a useful contribution to society as long as it is identified ahead of time that their condition is not a result of will but merely the fact that they have a chemical imbalance of their own genetic makeup and this is what it takes to make them proper, contributing members of our community.

These are things we learn. We try to identify these things early in the process so that we do not end up with tragedies in our families. But where we do have those people — I can use the name Clifford Olson. Thank goodness the system worked appropriately with Clifford Olson, in that when his parole time came up and he had the ability to appeal for parole, the parole board turned him down.

But say, for whatever reason, Clifford Olson had finished his time, had been released in the community and the police believed that he remained a threat to society. They should be able to go to a justice of the peace and say, "The community down in Smiths Falls," or Cobourg or Markham, "should be aware that Clifford Olson is in your community, trying to get a job, trying to lead a normal life."

What do we want that community to do? We want that community to know that person is in their midst so that they can watch him and perhaps help him. I don't believe the object of the exercise is to empower the community to go and beat him up in broad daylight, which is what happened in Ottawa when the chief of police identified someone who had served his time, was released and happened to find an apartment — you know, it's pretty hard in our community to find an apartment that's not near where children are. Think of it. Children are everywhere. Wherever we live, there are families.

In this particular instance, this person in Ottawa happened to live four blocks away from a school. The papers made a big thing of the fact that this convicted paedophile was living four blocks from a school. I think it was appropriate for the school to be informed; I think it was appropriate for that community to be informed. I think we can all agree that it was inappropriate for an innocent person, which this person was, to be beaten up on the street, blood drawn in broad daylight, and have that splashed all over the Ottawa Sun. That's what happened.

It is an issue of balance in all these regards. It is a hard thing for anyone to judge. Lord love us, I would not presume to be able to play God in all these circumstances. I would want to have a system in place where if I had a concern, I was able to take it to someone. If they agreed with me, then we have a process to follow and the appropriate things can happen, because I believe in the long run all of us in this House, given adequate time to get over an emotional response, given adequate information, do come up with thought-through, reasoned judgements.

Here in this House, when the government presents things that we in the opposition think are going too far, we know we have an obligation to point this out. As we create the debate and as the public get to see what we're talking about, get to participate in the debate and therefore get to influence the government of the day, cooler, saner heads begin to prevail — as I hope earnestly, just to use a small tangent here, is happening with the government with Bill 160. It is time for cooler heads to prevail. It is not the time to rush ahead.

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Dealing with this particular legislation which, as I say, we are going to support, and for good reasons, there are concerns about when this information is brought forward. Simply to say that someone who has been convicted once, years ago — we have had many people convicted over the years — can you believe this? — 20 years ago, 30 years ago for an unfortunate incident they did which would count as paedophilia and they were convicted at the time and have gone on to live productive lives, you don't want the episode that happened 20 or 30 years ago suddenly, for whatever purpose, because it happened to turn up on a driver's licence check dealing with this individual — that the police officer says, "I'm going to release that information because I think the public should know about it."

I'm sorry, there has to be cause, there has to be a context and there should be some form of third-party review to make sure this is not abused. There is a famous saying that the road to hell is paved with good intentions. We all know that there is a good reason to have this legislation in place, but we have to be mindful of abuse, and no government is ever immune from abuse, which is why we build into our process a system of checks and balances.

We look at the other aspects of this bill in terms of the free flow of information, with respect to name changes. I was just thumbing through one of the most recent editions of the Ontario Gazette and I was amazed at the number of name changes that were going through, that were being processed here in Ontario. Yes, it is sometimes appropriate to be able to track someone who is clearly intent on continuing criminal activity, to be able to ensure that you identify him through the process. But someone who years ago committed a criminal offence, paid their fine, wished to purge themselves of their guilt and therefore wished to change their name — is there something wrong with that? History is replete with people who have done that and we have not taken away that right to do so.

I would hope that the purpose of the exercise here is to facilitate law enforcement officers to continue surveillance on those where there's a clear prima facie case that surveillance needs to be there. I would hope it is not just another means of Big Brother keeping track of who's changing their name for what, and why, and therefore leading to abuse, unregulated by this body here which stands up and speaks for the citizens of Ontario.

That is our charge. We are elected here not only to be their voice, but to be their guardian. Remember, Parliament was created to provide limits on the government of the day which had taxing powers. What is the government of the day? They are ministers of the crown; they are ministers, on behalf of the crown, providing government. We in this Assembly are charged with scrutiny, making sure our rights as individuals out in the community are not being impugned upon by the ministers of the crown, by the government of the day.

I alluded in my earlier remarks to the tendency of government to seek the most efficient way of providing service and the obstacle it runs into with the democratic process, not only in terms of checks and balances, the requirement to consult, the requirement that other people see what's going on so the other people can say, "Wait a sec; you're going too far," and ultimately the government adjusting its course to meet the concerns of the community that it is elected to represent; but also within the context of the community being able to say, "You are going too far." If there's anything I've ever heard in this by-election back on September 4, it was the criticism that this government was going too far, too fast.

Even though we're speaking on a bill on which there is all-party consent, there is the issue that the power of the government has to be used extremely judiciously. It is too easy to agglomerate all kinds of powers and say: "Trust us. We will do right, and if we do wrong, throw us out in four years." That may be too late. With respect to this particular legislation, it is a step in the right direction, but I caution the members opposite to use this power carefully.

The Acting Speaker (Mr Bert Johnson): Comments and questions?

Mr Bob Wood (London South): I'd like to thank the member and his party for their support. The purpose of this bill is to use information to enhance community safety, and I think the member can take some assurance from the fact that the purposes for which disclosure can be made are clearly set out in the act. We have confidence in the police to use those provisions of the act responsibly. I think the approach of judicializing the release of information is wrong. However, at least I personally am open to improvements on this act once we get some experience with the act.

Mr Mike Colle (Oakwood): As my colleague for Ottawa West was speaking, I recalled a similar situation occurring in my riding a couple of years ago where we had a paedophile with a number of convictions who was released in our community. This person had been spotted near one of the local schools in the Eglinton-Bathurst area.

I know the parents were very upset and very concerned. We worked with the police, with the neighbourhood association.

We came to that same dilemma, I guess the real cross-roads here: What do you do? Do you publicize that person's name so that the community, the parents, the children know and watch out for this person or do you protect his or her anonymity because that person has served his time? In this case here this person had a track record of repeat offences over and over again. I guess what this bill is saying, and that's why I agree with it, is that you have to err on the side of the children and the potential victims.

I know it is not an easy thing to do, publicizing the name of that person, but I think it has to be done with caution; it has to be done judiciously. We certainly don't want to see the type of activity that has occurred in Ottawa where that person was beaten up. In order to allow parents to protect and inform their children, you have to do it but you have to do it, with great caution, and I think you have to do it with great sensitivity so that you're not doing this haphazardly or at random, where a pattern develops. We have to err on the side of the parents who I think have the right to know. This is the beginning of appreciating that right to know.

Mrs Marion Boyd (London Centre): Just briefly to the member: He clearly understands the delicate balance that's involved, and I would say to him that I wish his party had brought forward amendments that would be similar to what you suggest, that it go for judicial review prior to releasing the name. As I will say when I stand to speak, that is something we also agree with. I think the more often we talk about the necessity for due process as being basic to the protection and safety of any community, the more important it is.

One of the other speakers, the member for London South, expressed, as he did in the committee, a touching belief that these powers given to the police and corrections officials would not be abused, but we certainly know of instances beyond the instance you talk about where that has not been the case in the past, even when the information was not supposed to be released. So I think it is a very good point that you have made, and I will be looking forward to expanding upon it.

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Mr John Gerretsen (Kingston and The Islands): I too want to compliment the member for Ottawa West on his speech with respect to the fact that this law will require a very delicate balance between the public's right to know and the right of the individual. What this probably speaks to —

Interjections.

Mr Gerretsen: I wish the members opposite at least would try to gain something out of what is being said. Believe it or not, just because you are on that side of the House, that doesn't mean you've got the answers to all the problems in the world. There may just be one or two good ideas on this side of the House and, who knows? When we're on that side of the House in two or three years from

now, we may even accept one or two of your ideas. While a few of you, probably no more than about 10 or 12, are left on this side, you may have something to offer to the then government of the day as well.

Coming back to Bill 102, what it clearly shows and what's required is the great cooperation not only between the government ministries of Ontario but also with respect to the federal governing authorities, with respect to the police departments — federal and provincial and municipal — and with respect to the mental health facilities and people who run those facilities as well. There has got to be a complete cooperative effort with respect to all the various parties involved and with a clear understanding that the individuals have rights and that those rights need to be protected as well to ensure that this kind of law will in effect be implemented in a successful fashion.

It is an important bill. I think the people of Ontario need to be protected. We will be supporting Bill 102.

The Acting Speaker: The member for Ottawa West has two minutes to respond.

Mr Cullen: I would like to thank the members for London South, London Centre, Oakwood and Kingston and The Islands for their comments with respect to my remarks on this important bill. I believe they have clearly acknowledged the delicate balancing act. I think all of them have used that terminology in their remarks.

I was pleased to hear the member for London South hold open the door that, after some practice with this legislation, the government may be open to some possible improvements, particularly with respect to the notion of judicial review.

We're not talking about trying to make the system onerous or bureaucratic, but you have to realize there is a role for due process so that people do not just shoot from the hip, half-cocked. We are dealing with people's lives. Yes, we want to protect the vulnerable in our community; that is our primary obligation. But when someone has not committed a crime and there is no compelling evidence that they are about to commit a crime, then we have to be very, very careful with what we do here. We have the corresponding obligation to give this person, whom some of us may worry about, the adequate supports in place to ensure that they can reintegrate themselves into society. There is no point in going around stigmatizing people and crying wolf all the time if we do not help these people. If we do that, we just drive them underground, they become harder to find and the community is not made any safer as a result.

It is a balancing act. I would like to thank the members for their contributions, particularly with the notion that the government would review the legislation after some practice and possibly bring in the kinds of balances this legislation needs to make sure it doesn't become an inappropriate tool for protecting our community.

The Acting Speaker (Ms Marilyn Churley): Further debate?

Mrs Boyd: I am pleased to have an opportunity to speak to this bill, which concerns me a great deal. Let me be very frank that someone like me, who has worked in

the field of victim services, worked with women and children who have been abused physically and sexually — no one probably has a greater concern around the protection of members of our community who are vulnerable to predators. The reality is that there are predators out there and there is a real concern within the community about the lack of sureness about whether or not we can predict that someone will offend again.

We have some very discouraging research that seems to show that, particularly paedophilia, a disorder which is extraordinarily difficult to treat successfully and to change behaviour over the long term. Hence the community has some real basis to have some concern about the eventual release of people into the community whom they may perceive to be dangerous.

I don't dispute at all the intention of the government to try and protect the community and to see this as one mechanism. I certainly acknowledge that there are many people out there, many victims' rights groups out there, who are making demands upon the government, very strong demands, that this kind of mechanism be available to protect the community. I think it is a problem we need to discuss in a way that makes it clear there is no one who doesn't have concern for the safety of the public, particularly for those who are vulnerable within our communities to attack by people who are inappropriate.

Having got that out of the way, however, the whole issue we are dealing with here is, what is the right way to protect our communities? How can we be sure the actions we are taking are going to be protective? How can we be sure they aren't undermining the very basis of our community itself?

When we began our civilized government through the rule of law, we decided it was inappropriate for people to take action against others on a presumption. The whole issue of the rule of law is that you can't make an assumption that someone might commit a crime and therefore take action against them without having proven that they committed a crime. We're on a very slippery slope when we have a bill like Bill 102 that allows for correctional officials and the police to stigmatize and pillory, if we listen to the example the member for Ottawa West brought forward, a person who indeed has committed a crime, who has been convicted of that crime, who has served their term for that crime and over whom the state has to at some point relinquish control.

The extreme law and order crowd in this government, which sometimes but not always corresponds to the family values group, is a group of people who see the whole issue of crime and punishment in very stark terms, in very punitive terms. To hear people in this government talk about law and crime and talk about the issues of people who are confined in the provincial jurisdiction, one would think we were talking about the worst criminals who exist in our communities. It's always important for us to recognize that our jurisdiction in this province is over people who are convicted of crimes and sentenced to two years less a day or fewer days — mostly fewer days. I believe the average length of sentence is somewhere

between 65 and 74 days for crimes that are within our jurisdiction.

It is really important, when we accept the rule of law, to balance the needs and desires of the community and the respect for privacy and for the rights of the individual. That's the struggle that's going on in this bill. As the member for Ottawa West suggested, the task is to come to some kind of balance in balancing out those rights, and those rights sometimes conflict.

We know, for example, we have a right, when someone has been charged with a crime, to determine whether or not they need to stay in custody, even though they haven't been convicted, until they go through the court process and a court finds them guilty. We say as a community that that is an appropriate balance. If someone has committed a crime they might commit again, that's one of the criteria. They may flee the jurisdiction and never go through the court process. That's another issue. They are a danger to others or to themselves. That's another issue. We say, "You can't go free until you're tried, until the evidence is brought and a judge makes a determination." We allow ourselves the power to keep people in jail or to release them on bail, and the objective there always is the safety of the community and the safety of the judicial process, the whole justice process.

There are lots of occasions where we have made decisions through law in our community that the rights of an individual are secondary to the needs of safety and protection in the community. There's no question about that. If somebody says, "Can this government do this?" the reality is yes, this government can put forward a bill that enables a police chief or his or her designate to release the name and the whereabouts of someone who has completed a sentence, who is not now accused of anything but who that particular police officer determines has a potential to possibly commit a crime in the future.

2140

One of the things that's really disturbing about this is that there's no process here to bring evidence; this is just a belief on the part of this person. There's no judicial process we go through, as we do when we determine bail, and of course the whole bail process is done before a justice of the peace. We have to make it very clear; the onus is on the crown to prove it is in the best interests of the community to keep that person from being free. The assumption is always that you're free until you're convicted, unless there's some very good reason that you should be jailed. Even where there's a review of that and the onus reverses on that, the whole objective is the protection of the community.

You can imagine how surprised I was, given the kind of presentations that had been made to the committee, the particularly eloquent presentations by the Canadian Civil Liberties Association and their counsel, Alan Borovoy, that when we began clause-by-clause on this bill there was no provision in the bill for a judicial process, due process, to determine whether a person's name and whereabouts would be released under these circumstances — very surprised.

So of course we put forward an amendment. I'll read it to you, because I don't think it was a strange amendment. We said there should be a restriction on the disclosure of this information to the general public, for a very good reason: We said:

"(2.1) A person described in subsection (2) shall not disclose personal information about an individual to the general public unless he or she first obtains an order from a judge of the Ontario Court (General Division),

"(a) finding that the individual who is the subject of the proposed disclosure is dangerous to the public;" so it's not a little presumption in the mind of the police chief but a court of law determining that this person poses a danger;

"(b) finding that the proposed disclosure consists only of information that is reasonably required for public safety;" so making sure that the information released is as limited as possible, invades the privacy of that individual as little as possible; "and

"(c) permitting the disclosure."

So the police service has an order that allows them to do their job in protecting the community. If they can't prove that to the satisfaction of the judicial official, then obviously they can't disclose the name.

The argument that was used by the parliamentary assistant was: "The courts are already crowded and we don't want to throw this into court, don't want to judicialize this. We trust the police, and we ought to just allow them to go ahead." I thought he brought rather unconvincing arguments around the fact that if we found the police were abusing this power, we could look at it again. I was amazed to hear him, in his comments to the speech from the member for Ottawa West, say that again. This is sort of like, "Let's try this out and see how it works, and if it doesn't work we will go back to a more just system after we've ruined the lives of the people who have been treated as this bill suggests." Government by trial and error certainly does appear to be the style of this government; that's a rather explicit statement of it, to be quite frank. The parliamentary assistant went on to say that the amendments brought forward by the government would solve this problem.

The real problem of timing did arise. We all have to admit that we know the courts are all clogged up with a lot of matters, so I have some appreciation for the concern around the timeliness of taking any action under this bill if it had to go through a judicial process. I do have some sympathy with that. But I would point out that this kind of action is similar to an injunction or a civil restraining order, both of which can be obtained very quickly, both of which have the same objective as the disclosure of information under this bill, both of which need to be brought in a timely fashion and a decision made in a timely fashion; a very analogous kind of a situation.

The government itself has no compunction about applying for injunctions and knowing it's going to get them within at least a 48-hour period, if not a 24-hour period. In fact, the former provincial judge from Ottawa-Rideau made it clear that you would get it in very short order because it is that kind of proceeding; time is of the

essence. However, the argument made no impression on those who are determined to continue the punishment of people who have already paid for their crimes and determined not to ensure that their rights are also respected once they have paid that penalty.

The government moved an amendment. Let me tell you what they thought was going to solve this problem. They put some conditions in. They put a purpose clause in. It says:

"Purpose of disclosure

"(2.1) Any disclosure made under subsection (2) shall be for one or more of the following purposes:

"1. Protection of the public." All of us agree this would be an appropriate reason.

"2. Protection of victims of crime." All of us would agree that would be an appropriate one. That is one of the reasons we have bail hearings and keep people incarcerated until they're convicted, that they may be dangerous to the original victim.

"3. Keeping victims of crime informed of the law enforcement, judicial or correctional processes relevant to the crime that affected them." Of course, in that case you'd only be disclosing this information to the victim of the crime, not treating the whole community as though it were the victim of the crime, even though in the rule of law to some extent we do define ourselves that way.

I have no problem with any of those three reasons, one or more of those being the reason for disclosure. But when we go on to the rest, listen how broad these are.

"4. Law enforcement.

"5. Correctional purposes.

"6. Administration of justice.

"7. Enforcement of and compliance with any federal or provincial act, regulation or government program.

"8. Keeping the public informed of the law enforcement, judicial or correctional processes respecting any individual."

It seems to me that those four pieces leave this wide open. We cannot have any confidence that the very best trained, the very best intentioned, the very most effective police chief in this province isn't going to see a door open with that kind of provision and see himself or herself as protecting his or her community by having undesirable people drummed out of the community as a result of disclosing what they had done in the past.

My friend the member for London South thinks that means I don't have much respect for the police. He needs to know I have a great deal of respect for the police. I worked with the police for years. But I also know it is the job of legislatures, the job of the lawmakers to set the boundaries on the work police officers do. We set the laws; they enforce them. We make sure as legislators that our laws are enforced in an appropriate way that respects the rights of citizens.

2150

I tried at least to get the parliamentary assistant to admit that "law enforcement" was far too loose and tried to at least get him to say "criminal law enforcement," because we have all sorts of provincial offences which

could be considered law enforcement. In fact, under number 7, we do talk about compliance with any provincial act or regulation. In other words, someone who has been released from prison and is living in the community may have a parking ticket, may have a traffic infraction, may not pay their family support, so this information could be disclosed within the community. That's wide open in here. All we have is the assurance of the member for London South that "Oh, the police wouldn't do that." I think all of us know that we need more assurance than the goodwill of people, however expert they are.

Whenever we get into a position, as legislators, of deciding that it is appropriate for us to limit the rights and freedoms of any individual in our communities, we have to do that in a way that, within the legislation, protects not only that individual but the whole community, because the way we treat individuals within our community is the way we can expect to be treated. Our problem is that people who commit criminal acts do not respect the dignity and the integrity of their victims. The problem with criminal behaviour is exactly that. You don't correct that criminal behaviour by not respecting the integrity and the rights of the person who has committed the crime. In fact, the whole rule of law as it applies to people who break the law ought to be to demonstrate to them exactly why they have offended against us as the community and to demonstrate that we have figured out a way to solve our problems without infringing on their rights.

This bill is a big step backwards. There were safeguards suggested by the Civil Liberties Association that could have protected the privacy of individuals very effectively and had the same effect in terms of safety within the community. I think it is a slippery, slippery slope, to start putting these kinds of powers in the hands of police officers. I think it is a small step from here to the encouragement of vigilantism, which really is what the member for Ottawa West was talking about.

We began a rule of law to get away from the eye-for-an-eye, tooth-for-a-tooth form of law and order. What we are doing here is setting the stage for setting one citizen against another. We're setting the rights of one citizen over another without a due process. If we have a due process, that can be very appropriate, especially when we fear for the safety of our community, but it must be due process, and Bill 102 does not achieve that.

The Acting Speaker: Questions and comments?

Mr Bob Wood: In response to the member for London Centre, I'd like to reiterate but not repeat my previous remarks. I would like to point out, however, that information disclosed must be factual and it's got to be disclosed in accordance with the purposes set out in the bill. I'd like to emphasize that we do not see judicializing the process as the answer. I'm sure members of the House are aware that 50% of discretion in the criminal law system is exercised by the police. They are very experienced and I think very fair in exercising that discretion.

This bill has nothing to do with punishment and everything to do with community safety. We believe this act is a great step forward for community safety and we think it

will work well. Having said that, we are also committed to monitoring how the act works and are prepared to look at any improvements that may be indicated.

The Acting Speaker: Further questions and comments? The member for St Catharines.

Mr Bart Maves (Niagara Falls): How about a cabinet update?

Mr James J. Bradley (St Catharines): I do not have a cabinet update; I'm sorry, but I do not.

But I did want to mention what happened with this bill and what it reminds me of in the field of justice. What it reminds me of is that this government has cut considerably the resources the people of Ontario have, through their government, to fight crime.

I listen to the law and order gang over there make great pronouncements about how they're going to deal with serious crime in the province, yet we have seen severe cuts in allocations to certain areas of the Ministry of the Solicitor General, the Ministry of Correctional Services and the Ministry of the Attorney General, so now we have more and more cases out there where plea bargaining is taking place.

I heard from the law and order crowd over there during the election campaign, and in this House they are always up with resolutions on Thursday mornings, telling the federal government what to do about something, or with petitions. But in fact, here in Ontario the Harris gang is cutting back the resources available to fight crime in this province. I am perturbed and perplexed by this, since I keep hearing they are the great crime fighters.

Are you all aware on the government side, for instance, that plea bargaining is now almost routine? The courts are clogged, there are not enough police officers, there are not enough people to prosecute, and as a result, bargains are made with those who have committed crimes to get a much lower sentence, a much easier sentence. You have to not just talk about it; you have to put the resources there to fight crime.

Mr Tony Martin (Sault Ste Marie): I would encourage the House, particularly the members opposite, to pay attention whenever the member for London Centre gets up to speak. She's probably one of the few in the place who actually takes a bill page by page, line by line, and goes through it so she understands it and is able to see how it applies to the everyday workings of government as it reaches into community. This bill is no exception to that. When she gets up this evening and challenges us in the way she has about the very nature and purpose of this bill, never mind its specifics, I think it behooves us to listen, to think it out and perhaps have another look at it. It will not, as she says, do all it is intended to do.

The other member from London gets up and challenges her on some of what she presents. I suggest he might want to think about that a little further before he does it again, because this bill leaves many details to be dealt with by regulation and therefore it makes it very difficult to assess the consequences of it.

What the member for London Centre puts forward by way of consequence is very possible and I suggest to you

will be very real. The very cause this bill is presented in the name of, the context in which it is played out, that of trying to reduce community crime, will not be the end result, I suggest.

The Acting Speaker: Further questions or comments? Member for London Centre, you have two minutes to respond.

Mrs Boyd: I want to thank all the members who commented. It is extremely important for us to have a serious discussion about what is really a serious matter. It is late, we're all tired, we're all anticipating being out of here, and this is exactly the most dangerous time for the freedoms we cherish in our community. Those of us who are not vigilant at this time may not realize the importance of what we're doing.

I would say to the member for Sault Ste Marie that it's very good that he remembers that a lot of the details will be decided by regulation. We always are nervous about that. We always are concerned that the effect of regulations at least, if not the regulations themselves, be articulated before we pass legislation.

In this instance, it is my very deep hope that in putting into place the regulations that set the context for the powers we will be granting if this Legislature passes this bill, we will be limiting those appropriately for the protection of individuals as well as the protection of the community.

I would say again to my friend from London South that I find it touching that you are so trustful, given the many examples we have of instances where the police are not always appropriate, to assume we can assume they're going to be appropriate in this instance. I would remind him that the overwhelming desire of police officers is to protect their community, and that to do that they have shown themselves willing to contravene the rights of individuals on many occasions in the past. We shouldn't give them more licence to do so with this bill.

2200

The Acting Speaker: Further debate?

Mr Alvin Curling (Scarborough North): I look forward to participating in this debate on Bill 102, the Community Safety Act. I almost reluctantly want to support this bill; I will be supporting it, but quite reluctantly, because I'm concerned in many respects.

First, I should say that many of the victims of crime in our society today are not adequately supported. Quite often with the consequences of crime, the victims seem to come out worse for it than those who have committed the crimes. Any government, all governments should make sure that we have not only a safe society and a safe community, but that the victims who are the subjects of such crimes are protected even long after the crime has been committed. Quite often, while someone may have physical loss in incidents, some mental torture continues for years to come, and that in itself has gone without any protection in any way.

While, as I said, I intend to support this legislation, I am concerned in some respects. Of course we must have adequate information sharing among all the ministries and

all people who are involved so we can have very effective legislation. One of the problems we find quite often in government is that when we institute any kind of law or any kind of policy, other agencies in government are not informed, so it becomes quite inadequate and not as enforceable as it should be.

We have known that with this government, whose basic concern all the time is the bottom line and it talks about fiscal responsibility and the fiscal deficit, quite often the human deficit is left to waste and becomes worse.

This act itself tries to bring about some justice for the victims and to make sure that the human deficit that is there, or abuse, is being addressed, but one of the things I'm concerned about is that this legislation, as I understand, will be amending three different areas. As a matter of fact, we're going to have to amend the Police Services Act, which we understand, the Ministry of Correctional Services Act and the Change of Name Act. Let me deal first with the Police Services Act.

I have worked with the police quite often and I have the greatest respect for many of the good police officers who are around, and as a matter of fact for the system that is in place, but I'm not quite sure if I would allow the police officers under the Police Services Act to deal with the release of names. It should really be given to the judicial powers in some respect, where those names to be released should be given judicial review before the police themselves issue those names.

The member for London South said, "It's not a punishment when we release those names so those individuals could be known to be in that community." But let's face it, it is a punishment, and that's why we are putting it in place. Therefore, we cannot stand by and say, "Listen, we're going to give those names to the community and these people are on guard."

Many people try to turn their lives around, of course, and we must have that balance in place. There are accidents and there are situations that happen in life and people try to turn their lives around and one cannot be punished forever. Before one gives this power to the police, some judicial review should be given as to when the name should be released and how it should be released.

I should read a concern that was expressed by the John Howard Society and I think we should adhere to that. The John Howard Society warns us that the publishing of names of offenders soon to be released could drive those individuals underground. That's my concern. The fact is, while we intend to release those names so the community would know, they'll just disappear and then it becomes more difficult to find those individuals.

Furthermore, as I said, the concern of this government all the time is that we have to cut costs. Mark you, we can build greater prisons and more efficient electronic prisons, but to cut costs the resources that will be given to those institutions are not there to follow those individuals. Therefore, those individuals will have gone underground. I don't know how you're going to find them unless you have the proper resources to do so.

They further state that there are also concerns that paedophiles and other sex offenders could simply move to a different province and avoid the name change, because one of the acts they're going to do is the name change act so you can't change your name unless you've been more or less given permission. But all they have to do is move to another province. In moving to another province, what you've done is given the other province that kind of concern.

It's a difficult thing to monitor. I understand that; I understand it very well. It's very difficult to monitor and enforce that, but you must be mindful of those kinds of situations that we'll have trying to enforce that.

As I said, I will not be taking a long time. I thought I'd just make a couple of points because I think it's quite important. It's extremely important.

One of the other concerns I have is that many mentally sick individuals are out on the street because of government deinstitutionalizing quite a few of these individuals, sending them out on the street to live, with nowhere to go. Then when they do commit a crime, we come with all the full force of a hammer on them, while it is the government itself.

As a matter of fact, I can remember, it was this Conservative government way back which first started deinstitutionalizing people and sending them out on the streets without any proper resources. Now they're back at the game again. I want to emphasize that you've got to put the proper resources in place so individuals can be dealt with properly.

Today we have heard that some of the people who are running in the municipal elections are saying that maybe there's no homeless in certain areas, and so most of those individuals are concentrated in certain areas. I'm concerned about a colleague of mine who has a concentration of quite a few of those individuals who are taken care of in those areas. The fact again is the lack of resources to deal with those individuals.

I want to ask this government: Upon bringing this legislation in place, will they be bringing the necessary funds, the necessary resources to make sure this legislation can be effective?

I'm concerned that there are insufficient resources, but I will support this legislation. It's going in the right direction, but it's one of the few things that I would say is not going far enough from the point of view of resources.

Many of the concerns we have about this government is the ramming way in which they do things. They don't listen, and maybe this is another part. If you would listen carefully instead of ramming this through right away, maybe you would start addressing some of these concerns, or maybe before the bill is passed make a proper announcement and say you're going to put all the adequate resources; not just by words but in some specific sums of funds, that will be there to make sure this enforcement will be adequate in protecting those victims, and also not to unnecessarily — and I would say that, unnecessarily — punish those individuals who need some help, some mental

help from this government which has pulled back many of those resources.

Again, I don't mind at all supporting this, but it doesn't go far enough.

2210

The Acting Speaker: Questions and comments?

Mr Bob Wood: I'd like to thank the member for Scarborough North for his support. I think his concern about victims is very well placed. He addressed the issue of punishment versus community safety. As he can see from the bill itself, where the authorities are satisfied rehabilitation has taken place, no disclosure is going to occur.

He made the point with respect to perpetrators moving from the province. That point is well taken, and I think it's a good reason other provinces should follow our lead in this area. I would also like to assure him that there will indeed be adequate resources in place to make this legislative work.

Mr Gerretsen: I just want to confirm something that both the member for Scarborough North and the member for St Catharines talked about earlier, and that's the fact that the bill as proposed is a good law, but the real question comes in how you're going to enforce it and whether there are there adequate resources available to actually enforce it, so I took it upon myself to take out a copy of the 1997 Ontario budget, which is the government's document. It's not my propaganda; it's your propaganda, and presumably the numbers you've got in here are correct.

Let's just take a look at what's happening to the Attorney General's portion of the 1997 Ontario budget. The amount they plan to spend in this fiscal year is \$654 million. The amount that was spent in 1995-96, just two years ago, was \$1.085 billion. So we have a difference of almost a 40% cut.

You can say you took the 40% out of this area or that area, but I don't think anybody out there is going to believe you if you don't acknowledge that a lot of this money is coming out of the enforcement area. So what are we doing here? We're putting a law on the books for which, in order to have it properly implemented, you have already taken the money out of the budget, not only provincially but also by all the local police forces. We know what has happened to the local police forces. They have already taken \$180 million for local policing away from the local forces.

The law is a great law, but it doesn't mean anything unless you have the resources to actually implement it and have it come to completion. That's the problem. You haven't done that and you will fail in this as you have in so many other things.

Mrs Boyd: Everyone in this place knows how much I respect the member for Scarborough North. After all, I have to respect him; I once spent a memorable night with him here in this chamber. That having been said, I'm very disappointed —

Mr Bud Wildman (Algoma): You respected him in the morning.

Mrs Boyd: That's right. I must tell him I'm very disappointed. When I heard he was going to speak tonight, I anticipated that he was going to talk about his concerns based on the very serious report that was done on systemic racism and the way in which the police and the criminal justice system treat visible minorities in our communities.

One of the big concerns I have about a bill like this is that it is an open door to the kind of discrimination that report showed happened in terms of the whole process, from beginning to end, in the justice system, against visible minority people, in particular the black community in our province.

I have a real sense that I'm glad he can be so sanguine that a bill like this is going to protect his community, knowing what he knows about the way the justice system treats visible minority people in this society. I don't think it will. That's why we're very deeply concerned about it.

The safeguards are not here in this bill to ensure that a perpetuation of the kind of discrimination that the systemic racism report showed happened in every place, at every juncture, in the process of the criminal justice system, wouldn't happen, and now we have added another thing, an extension of that criminal process to post-sentencing, to allow that discrimination to prevail.

Mr Cullen: I'm rising to respond to the comments from the member for Scarborough North, who I think gave an excellent perspective on the issues we face with this bill. I know that if we had an opportunity to discuss the broader issues of law enforcement in our community and the issue of racism, we would find no stronger proponent to ensure our public institutions and our law enforcement are devoid of any sense of racism than the member for Scarborough North, but that's not the topic we are discussing today.

I want to pick up on the theme that was introduced by the member for Kingston and The Islands, which is the whole issue of the adequate nature of law enforcement, giving enough tools to our police to do their jobs so they are not in the position of having to go public and ask the public to act as vigilantes because there is an identified dangerous offender in our midst. We need to have adequate resources starting at the base, ensuring we have adequate education, adequate mental health support and adequate health support for our community so that those who are vulnerable are not pushed off the track.

I want to speak specifically about Ottawa-Carleton, the provincial support to our police. It is a \$100-million budget. Last year it was cut by over \$4 million. This year it's going to be cut by over \$4 million. That means in the space of two years \$8 million will have been removed from our budget in Ottawa-Carleton in terms of law enforcement. I say to the members opposite this is a clear contradiction to this government's stated objective in terms of supporting the community in its efforts to ensure a safe community, so that the vulnerable are protected, so we can lead honest, decent lives. How can they say that when they cut funding from Ottawa-Carleton?

The Speaker (Hon Chris Stockwell): Questions and comments? Responses?

Mr Curling: I must say to the member for London Centre that you are so right that maybe I should have taken all that time, but I was trying to focus exactly on this issue.

Let me tell you about my emotions and my feelings about the discrimination that is happening now in this province, and also the neglect by this government to deal with employment equity, pay equity, human rights and the Ombudsman, continuing to deny justice to all those people. As a matter of fact, here is another way of saying how inadequately you have put this bill.

I very much hope the next time we come around not only I, who see that in my constituency, but all of us in this Parliament would speak on behalf of the blacks and the Chinese and women and all those minorities who have been discriminated against in this province. Let me say very, very strongly that I may speak far less on this issue, but I would like to see you speak far more on this issue. That is not my issue but an issue for all of us, the fact that injustice has been done in this province to those who are vulnerable in our society and that justice has been denied.

If you want to, go through the courts and see the backlog. If you want to, go to human rights where this minister made sure they called all the cases frivolous, threw those cases out and then came back and said, "Look at that, we don't have a lineup any more." We see this minister also cutting back on the Ombudsman. So where is this justice? Here we are now with a little limp legislation that is coming through, and we're going to deal with these issues without resources.

As my colleague from Kingston and The Islands pointed out very well, 40% of the budget of the same minister who is presenting here about enforcement has been cut, and then he is saying to us, "We are moving forward." You may be moving forward intellectually, but to enforce this on a financial basis, there is nothing there. I hope we all speak on this discrimination in the time to come.

2220

The Speaker: Further debate?

Mr Martin: I have to say at the outset that this has been a most interesting and informative evening. It's interesting that on this, the last day of sitting of this session of the House, we would be here at 10:20, some in the House even having written off the debate as just the opposition wasting time, when in fact we are debating a bill that has some significant and tremendous consequence for every community out there in Ontario. We have a government attempting to correct the sense of foreboding that exists in communities about crime and who causes crime and the effects of crime in a way that, yes, may go a distance, but then again may not, depending on the details of the bill, depending on the regulations that are passed, depending on how it's handled by those who ultimately are called upon to implement the bill as it is finished.

This evening we've had some very interesting input by the members. The member for Ottawa West, who gave a wonderful speech, I thought, brought a very enlightened and interesting and well-researched perspective to this

very complicated issue. He brought his own experience from his own community, and for me, that was worth listening to, worth hearing. The member for London Centre got up then and in her own inimitable way, dealing with the details of the bill, presented a case for it perhaps not being such an enlightened piece of legislation. We have people in our own caucus who see it differently. That is in many ways the interesting and exciting part of what happens here in this place.

It's unfortunate, though, that members from the government side don't choose to participate, don't choose to share with us why they feel so strongly that this bill is in the best interests of their constituencies and the people they serve and indeed the province of Ontario. The only member who gets up every now and again is the member for London South. We appreciate the fact that he makes the effort every so often to get up and give us 50 seconds of his wisdom and feeling and understanding about this bill. It's important that you tell all of us here why it is that you in your caucus feel so strongly that we need to be moving this forward, that we need to be here at 20 after 10, as a matter of fact, on this Thursday night, the last night of the sitting of this session, debating this bill. But you don't choose to participate.

To digress for a second, I suggest that the reason given for the changing of the rules in this place was — correct me if I'm wrong, but I believe it was said that the members of the government back bench wanted more time to participate in debate. Yet here we are tonight — all kinds of time; they could have 20 minutes apiece — and we haven't heard one voice other than the member for London South get up and proffer or present —

Mr Gerretsen: He says the same thing every time. He reads the same five lines from the notes.

Mr Martin: Well, at least he says it. You've got to give credit where it's due, member for Kingston and The Islands. At least he gets up and says it and provokes some response from the opposition and we have a real debate. In fact, we do have a real debate going here this evening, because this is a very important piece of business, a piece of business that, as presented and articulated by the member for London Centre and the member for Ottawa West, needs to be looked at with some intelligence and with some sensitivity and with some understanding of how it might in the end play itself out.

It's a bill that, it says here, ensures that justice records, including a person's criminal record registered under a previous name, are updated to reflect a legal name change, that among a few other things. Basically, it's to make sure that when somebody gets out of jail and comes into a community, the people in that community know that he or she is around.

At first blush, that may sound to a lot of people like a good thing. In fact, there are moments in my own life, as I think about my family and my neighbourhood and my community, when I think, "You know, that might not be such a bad idea, to know who is living in my neighbourhood or is coming into my community." On the other hand, as the member for London Centre so eloquently presented,

first of all, what about the rights of that person who has done their due, who has done their time, given their pound of flesh, so to speak? What about their rights coming back into the community? What about the artificial sense of safety it gives to a community that just because they know who among them has a record of some sort or another, they're now safe, that there is no more reason to worry, that the community can throw the key away, lay off all the police, and go to bed and sleep comfortably and quietly?

There are a couple of things I would like to present tonight, a few thoughts I have had in trying to come to terms with this bill and decide just exactly where it is I sit as I listened to the debate and the presentations made by so many learned folks around the House here this evening. One of them, and it was raised by others, is the fact that this bill, as do so many bills presented by this government, says one thing, yet when you get into the meat of it really says nothing at all. It presents sort of a motherhood statement, has with it some of the bones of perhaps how we might get to where it is the preamble suggests we all want to get to. Safe communities: I mean, who can speak against safe communities? Who can speak against initiatives that will leave us all, when we go to bed at night, feeling like we're going to be okay, that we're all going to wake up in the morning and be protected? But when we look at the bill — and I've suggested on other occasions that some of these bills are like the proverbial Trojan horse: When you get it in among you, you find out that there are all kinds of other things attached to it and all kinds of consequences that come with it and that if we don't think about them beforehand, it is often too late afterwards. It's like closing the gate after the horses are out.

This bill leaves many details to be dealt with by regulation and therefore makes it very difficult to assess its consequences. For example, will the regulations allow for the release of information regarding persons within corrections systems who are out on parole, mandatory supervision, electronic monitoring etc, or will it only allow the release of information for persons who have completed their sentence and all court dispositions? That's just one of the questions. What protection does it really provide communities? Maybe by giving a false sense of security. Perhaps that's what this is about. I would hope not, because that in the end will not serve anybody, will not serve the community, nor will it serve the people who have unfortunately entered into some behaviour that has been antisocial or obstructive or dangerous in some way and who have, at the end of the day, done their time and been through some counselling and want to get on with their life.

Some advocates against naming of offenders state that it will drive ex-inmates underground and will make it impossible for police to keep track of them once they are publicly named. I would suggest to you, Speaker, and members of this assembly and others out there listening that this bill, to me anyway, as I look at it, presents a lot like some of the other initiatives of this government, which deal with the end result of some activity or behaviour as

opposed to actually getting to the root cause of some challenge or problem that is presented out there in our communities as life evolves and as we're all called to recognize and to deal with these things.

For example, there's the issue of why we have so many people on welfare. This government came to the conclusion that there are too many people on welfare because we're giving people on welfare too much money. Well, that may make sense to some people, but it certainly doesn't make sense to me. I would suggest that if you're going to deal with the question of people on assistance, you might want to take a look at the fact that there aren't enough jobs out there to go around, that there aren't enough programs to assist people who would like to be working to get back into the workforce; that you deal with it from that end, to deal with the cause of the difficulty in the first place as opposed to the symptom.

We have here a situation where we're being asked to approve of a bill that will again target a particularly marginalized, already vulnerable group of people without considering, perhaps, some other things that we might do to improve the situation where it means bringing people back into the community once they have served some time. We have a government here that is now in the process, a way down the road to building these superjails that will not have in them any resource to help people mend their ways, any counselling, any small-group therapy, any ability to be rehabilitated.

2230

This government that we have in front of us today believes that if you kick people hard enough and low enough they will straighten up and do the right thing. That's their approach to the poor, that's their approach to people who find themselves in difficulty when it comes to abuse of situations and that's their approach when it comes to issues of justice and safety in the community. It's to meet violence with violence. It's the old "an eye for an eye and a tooth for a tooth" mentality.

This government is taking us back so far that some of us are beginning to feel quite lost in the middle of it all, wondering if we'll ever be able to recapture some of the very enlightened and progressive and, I suggest to you, successful programming and attitudes and approaches to the difficulties that present to a community as it tries to be all that it can be, as it tries to answer the needs of all of the people who live within it, as it tries to provide for the common good of all people who live therein.

I suggest to you that some of what this government is doing is in fact going to lead to more crime as opposed to less crime. Anybody who has studied at all, even minutely, the issue of why we have poverty and why we have crime knows that there are what we call common determinants of those kinds of things and that kind of behaviour. The reason we have poverty and crime is because we have people who don't have the same opportunity as others, either for themselves or for their children, to participate fully in the community they live in. They get frustrated and angry and they reach out in anger and they take things sometimes that should actually, in the first place, have

been offered to them if we were the society that we hold out there to the world that we think we are.

Lest you think I'm making some of this up, lest you think it's in my imagination that we're going down the drain in Ontario and that as a community of people who care about each other we're losing a sense of how you do that and what that means, let's have a look at what the scribes are saying. Let's have a look at what the people who write in our newspapers and watch what's going on and unfolding and beginning to happen in our communities as governments do their business are saying.

Let me try and get this in some chronological order. Here's an article from Monday, October 6. It says here, "TB Plagues Homeless." This is the Toronto Sun. This is not a newspaper that normally writes this kind of thing. This is not a newspaper that normally is critical of this present Conservative government, but it has no choice.

Mr Wildman: You were right in the first place. The Toronto Sun is not a newspaper.

Mr Martin: No, it's a tabloid in many ways, but it is a newspaper and it's a newspaper that a lot of people in this community read and look at as the gospel. This newspaper on Monday, October 6, writes an article under the byline of Sharon Lem that says, "TB Plagues Homeless, Disease Spreading at 'Alarming Rates.'"

Laughter.

Mr Martin: Does that concern you over there as you laugh about that? Does it concern you that there are people who have no homes in this city, in this province that is recognized around the world as one of the best places to live, who are now suffering the disease of tuberculosis, a disease that we thought we had eradicated?

Some of us who know what the environment is within which TB is allowed to grow and to prosper, who are sitting in this place tonight, who work with the poor and the homeless and the hungry in our communities, know why we get plagues of TB. You get plagues of TB when you get too many poor people huddled together for warmth, trying to protect each other and support each other because the government of the day finds in its wisdom that it is better to give somebody a boot than to give them a hand and turns our cities and communities into places that resemble more what we refer to as third world countries as opposed to first world countries.

Here's another article that I want to share with you, again from the Toronto Sun, not a bastion of socialism by any stretch of the imagination. You have to look at it in the context of the first one, "TB Plagues Homeless." This article, on October 9, says, "Homelessness at a 30-year High."

Here's another article, from the Catholic Register. This was written on September 8. It says, "Welfare Reform 'Ghettoizes' the Poor; Ontario Bill" — and they're talking about Bill 142 — "Will Mean the Poor 'Are Going to Belong to Another Canada,' Critics Say."

Why am I sharing this with you? I'm sharing this with you because it presents some of the evidence that the programs of your government — and I would suggest the bill that we're debating here tonight is an example of that

— are not what are needed today. They are not going to answer the very real concerns and needs of people out there as we try to bring this province into the next century, as we grapple with the globalization that is going on, as we grapple with the change in the economy that is seeing some of the traditional jobs that people worked in disappearing while new, higher-tech jobs that require higher education take over.

A whole lot of people begin to fall through the cracks. To kick them in the butt, to tell everybody in the community who they are when they get out of prison without having first tried to rehabilitate them, to shut down shelters for abused women and suggest for a second that that somehow is going to reduce the amount of abuse that's happening in our communities flies in the face of logic and reality.

Sadly, this bill is in the same vein as the whole agenda of this government. The evidence is mounting out there that it's not working and people are beginning to realize that. That's why — you see polls beginning to come out now more and more — the Tories are slipping.

Mr Cullen: That's why they have a cabinet shuffle.

Mr Martin: That's why we're seeing tonight a cabinet shuffle by this government. Exactly. I think finally they're beginning to recognize that perhaps they're on the wrong track, and I would suggest that they take another look at this bill before they pass it.

The Speaker: Questions and comments?

Mr Bob Wood: I'd like to assure the member for Sault Ste Marie that this bill in fact says a lot. It provides for an effective flow of information to enhance community safety. I'd like to draw to his attention the fact that the purposes for which the regulations can be drafted are set out in the bill. I'd also like to assure him that this government's approach to the prevention and repression of crime is quite broad-based, is quite effective and is going to be increasingly effective.

2240

Mr Bradley: I was happy that the member for Sault Ste Marie recognized that despite all the rhetoric, despite all the bluster, despite all the bragging of this government about being anti-crime, they have cut \$400 million out of the crime-fighting budget, in other words, out of the Ministry of the Attorney General. That doesn't take into account the Ministry of the Solicitor General, which deals largely with policing and fire protection in the province, and the Ministry of Correctional Services. I would have thought a government that cared about crime, that was there to fight crime, would put the necessary resources into it.

I hear these new programs introduced. They come to various communities and there's a lot of fanfare and a press conference, and the Attorney General or the Solicitor General or the Minister of Correctional Services appears and the local people are writing down all the important things the government is doing, and then we find out there are no financial resources to pay for these programs.

We have a huge expansion into more and more gambling in the province, yet they have not put out the kinds of resources needed to combat the crime sometimes associated with gambling and the problems that originate with gambling, the problems that must surely disturb the family values coalition within the government caucus. So they talk a big game, they make great announcements, they put out the pamphlets, the advertising on TV, but when it comes down to providing the resources to fight crime, this government refuses to do so, and it's going to show up in an increased crime rate.

Mrs Boyd: I want to congratulate my friend from Sault Ste Marie on his speech. As you can hear from his voice, he's very passionate about things. The member for Sault Ste Marie understands that when we're really enraged by something that's going on, we sometimes have a tendency to feel vindictive if we don't give it a second thought.

The member for Sault Ste Marie feels very angry about what is happening to the poor in this province as a result of the actions of this government, but he's not suggesting in any way that the rights of the members of the government be contravened as a result. He knows that when we feel angry about the offences some people have committed in our community and have to deal with how to keep our communities safe from them in case they should reoffend, there is a temptation to apply that vindictiveness to someone who has served their time for a crime for which they'd been convicted. But there's just as much danger in that kind of vindictiveness as there is in any other form of vindictiveness.

His concern, which I share, is that this bill opens the door to a vigilante style of justice that is going to play into those feelings of anger people have when they see people victimized. It's our understanding of how easy it is to fall into that anger and to become vindictive as a result of that anger on behalf of those who are victimized that makes us understand that this is not a safe measure; this is not a safe set of powers to give to any group of people, particularly people who are as committed and as concerned as our police forces are.

Mr Cullen: I have been following the debate with great interest. Of course, we've talked about the technical aspects of the bill and the requirement to balance the needs of the community and the needs of the individual, but I think the member for Sault Ste Marie has brought a larger dimension to this debate by talking about the underlying societal problems we all must face that sometimes find expression, unfortunately, in tragedies that lead to the introduction of these kinds of bills that are basically Band-Aid bills. They're trying to deal with a particular aspect of an offender.

I think the member for Sault Ste Marie has put his finger on the nub of the issue: What are we doing about the causes of the problem where we're trying to deal with the after-effect? Isn't it sad to find ourselves in a situation where we have to move around regulation and law to deal with somebody who has already gone through the system once?

We're not talking about somebody who has a mental imbalance and has fallen out of Mike Harris's Ontario because there have been hospital cuts or what have you. We're talking about someone who has been through the system, has been convicted, has come out, hasn't had the appropriate rehabilitation or what have you, so the police say, even after having served both punishment and rehabilitation — because this government, in its prison system, not only talks about punishment but talks about rehabilitation. Here we have a product of this justice system, where we seek to rehabilitate so we can have someone who can become a contributing member of our society, yet all we can do is stigmatize them, as if that's going to correct the problem.

I think the member for Sault Ste Marie has identified an issue. I hope the government will think about this, because it will take more than this to remove, to eliminate the underlying problem.

The Speaker: Response?

Mr Martin: I want to thank the member for London South again for participating and getting up and offering his view. It's much appreciated. I think it's a very important part of what happens here in this place, even though it is Thursday night, the last night of the sitting of this session, at a quarter to 11.

I want to thank as well the member for London Centre, as always very astute and to the point and challenging in her comments, and the member for Ottawa West for his comments.

Mrs Boyd: And the member for St Catharines.

Mr Martin: And the member for St Catharines, yes, for reminding us that this government on one hand is wanting to bring in this piece of legislation while on the other hand is removing huge gobs of money from the very important policing service we have in our communities. It doesn't make sense, and that's the point I was trying to make in my few comments here tonight.

I can't help but remember one time in a small community I lived in trying to open up a home for the developmentally handicapped, and going around the community, so excited to tell the neighbours that they were going to have this house amidst them, and finding out from those neighbours that they weren't so welcoming, that they weren't going to be so hospitable to these wonderfully exciting and caring and loving individuals for all kinds of strange and weird reasons that were tied into misinformation and bad experiences in their history. But at the end of the day we were able to convince the community that it was a good thing and it was accepted. I would suggest to you that is the context as well —

The Speaker: Thank you. Further debate?

2250

Mr Joseph Cordiano (Lawrence): I'm happy to speak on this bill, which I think is rather important for society, those people who are most concerned about the release of dangerous offenders into the community. Surely, all of us are concerned with that. The concerns stem not only from the release of offenders but how we deal with that in the community.

It's one thing to notify people and to suggest that there is a series of things that can be done to make the public aware of what is going on when the release occurs, but I think we have to speak to the larger question. I heard some of the speeches earlier this evening on this matter, and the larger question deals with what is taking place in our communities that has given rise to many of these offenders; and furthermore, what is it we should be doing beyond just notifying the public? What can be done in terms of further assisting the community to deal with repeat offenders? They'll be among us one way or another.

One of the concerns that has been raised by the John Howard Society is that many of the ways in which we're dealing with repeat offenders upon their release in Bill 102, amending sections of various acts to deal with changes of name, in particular the Ministry of Correctional Services Act, and the Police Services Act to authorize police in that case to warn communities, among the many things we're doing, some of them may drive repeat offenders underground, thus thwarting the very reasons why this was done in the first place. So we have to be concerned about that.

That is a start. But to suggest that somehow this will solve the problem and we can rest assured that this problem will go away simply because we've notified the community and we've done a series of other things to reassure the community with the acts I've mentioned, which allow the police to warn the public when a dangerous offender is about to be released, and the Change of Name Act which would register any name changes, that the Registrar General must clear those requests with the Ministry of the Solicitor General to ensure that people changing their names don't have criminal records or outstanding criminal charges against them — those are all good things, but that's not enough.

What I'm concerned about is that this government sets a tone that these simple matters can be addressed in these particular acts. I'm not suggesting for a moment that the way to go about it is incorrect. What I'm saying is that there's a deeper responsibility on the part of society. There's a deeper responsibility on the part of this government. Governments, both federal and provincial, have a greater responsibility to communities. In fact, we have to work with communities.

We've heard from police organizations across the province. These days they're talking about how difficult it is to carry out their jobs, how difficult it is because of the cutbacks we've seen. What we're doing is further eroding the ability of communities to respond to these very difficult crises. We're doing that in so many ways. This government has perpetrated the withdrawal of many of those resources. We're seeing that community after community is having a much more difficult time.

This government's downloading, for example, is going to put a greater strain on municipalities and their ability to ensure that there are enough police doing community work. It's not work after the fact that we're talking about

here; we're trying to prevent crime. We're trying to prevent crime in all forms.

These are dangerous offenders of all kinds, the worst offenders, those who have committed heinous crimes. I think all of us would suggest that we need to do more to ensure that our communities are protected. It is upon our shoulders that the burden falls. At no time should we allow for any of the most vulnerable members of our society, namely children, to fall prey to dangerous offenders. That's simply not acceptable to me and I'm sure not acceptable to most members of the House.

What I don't see in this bill are further resources for communities to cope, because we are still sending out these dangerous offenders at one time or another. The fact that communities are forewarned I don't think is enough. So we have to talk about what we're doing in those communities to ensure that there are the resources, that police have additional resources, because we're hearing time and again that the police out there cannot cope with the burdens that are being placed upon them.

This government talks a good game —

Mr Bert Johnson (Perth): Whoever wrote your speech must have written your leadership speech.

Mr Cordiano: There's no written speech. I'm just talking about my views. You should try that some time. It might help.

Mr Steve Gilchrist (Scarborough East): Pop quiz: What bill are we on?

Mr Cordiano: It's Bill 102. It's your bill. It's another one of those government bills that sounds good, but wait a minute. Read further. It leaves you wanting more at the end of it. It leaves you wanting a great deal more. It's just part of the story. On the one hand you want to try and deal with the problem, and it appears as though on the surface you're dealing with the problem, but you're not really dealing with the root causes of those problems.

Furthermore, the resources aren't there to deal with those problems. You're not funding a whole variety of programs that are meant to deal with these matters. You're not funding those programs. In fact, you've cut the funding quite severely in community after community.

I would say that in general we support the direction of this legislation but we have concerns. We have concerns that extend beyond simply the measures that are taken in Bill 102 that deal with ensuring that communities have the necessary resources to not only cope but to enhance community life, to ensure that there is real public safety.

That's what this bill, the Community Safety Act, purports to do. But you can't assure a community of real safety, a real sense of community and a sense that there isn't the kind of insecurity when a community can't cope, when it doesn't have the funding that's necessary. We need programs for a whole variety of reasons in coping with these individuals, because they will be among us once they are released. It's not good enough just to track these individuals; we have to ensure that communities can deal with these individuals on a long-term basis, that there are additional programs.

I would say that the government is taking the first step, but we need to do more. Again, the general direction is supported, but we believe the government is reneging when it comes to its responsibility for policing and providing adequate funding for the policing that needs to take place in our communities so that we get real prevention of crime. That's the key, after all: prevention of a variety of things. We need resources so that the police can cope. Not only do they have to monitor this, but if they don't have the resources to do that, then they're not going to be able to do it. They're not going to do an adequate job.

I want to finally say that we will be supporting the bill, and I want to relinquish the floor.

The Speaker: Questions and comments?

Mr Bob Wood: I'd like to thank the member for his support. I'd like to assure him again that our approach to the prevention and repression of crime is broad-based. I would like to suggest to him that more money does not always produce more results and that we're going to do the right things and fund them adequately.

2300

Mr Gerretsen: Let me just say how pleased I was with the speech from the member for Lawrence just now. He has put his finger right on it, as have so many other speakers tonight as well, that there have to be adequate resources made available for this program to work.

I think the viewers out there, and indeed the members of the government who may never have opened their budget for this year to see how the funds are actually allocated within the various ministries, should once again be reminded that this year in the Attorney General's department the expenditures are expected to be \$654 million, as opposed to \$1.085 billion in the year 1995-96, almost a \$400-million decrease.

Now somebody is going to say: "The enforcement aspect is not in the Attorney General's budget. It's in the Solicitor General's budget." Well, in the Solicitor General's budget, the numbers have dropped from \$1.1 billion in the year 1995-96 to less than \$1 billion in the year 1997-98, not as drastic a cut, but still a \$50-million cut. When you put both the budgets together, for the Attorney General and the Solicitor General, there is \$450 million less being spent in the enforcement aspect of all our laws across this province than there was two years ago.

Yes, we support the notions and fundamental concepts included in Bill 102, but we know darned well from the amount of dollars you have made available in those two budgets that you simply do not have enough money to properly look after the enforcement of Bill 102.

Mr Wildman: I was not intending to intervene in this debate, but after listening to the member for Lawrence and others who have participated, I thought I would make a couple of comments.

I understand the arguments the member for Lawrence has made about cuts in funding for police enforcement and policing in the province by this government, but I must say

that I'm torn in looking at this legislation, and I'll explain that in a moment.

I would also like to say that I think it's unfortunate that we are dealing with such an important piece of legislation on Thursday night, the last day of the session, when everyone is distracted by what is going to happen in the government tomorrow, and we're not really paying attention to what is important. This is a very important piece of legislation.

I said I was torn. I want to explain why. I am very concerned about the fact that Alan Borovoy, a very respected general counsel for the Canadian Civil Liberties Association, appeared before the committee and asked that there be an amendment put, which was indeed put by members of the New Democratic Party, that before the name of an offender could be published, it would have to be taken to an independent judicial hearing and the judge would have to decide, rather than leaving it simply to the police. I have a lot of sympathy with that. I am opposed to disrupting the rights of people unless it can be shown, not just by the enforcement branch but by the judicial branch, that this is necessary. But having said that, I also understand that paedophilia is almost completely untreatable, and we have to protect children, so I come down in favour of the bill.

Mr Gilchrist: I simply would like to congratulate the member for Lawrence. I appreciate his comments and give him the assurance that any concerns he might have about the ramifications of this bill will come to naught. We will adequately fund all the issues related to the bill. I'm sure that with the passage of time, you'll see how this really does come to the advantage of all Ontarians.

The Acting Speaker: The member for Lawrence.

Mr Cordiano: Let me just thank the members for their comments. I truly believe that this will be a hollow piece of legislation if it's not followed by some real supportive mechanisms and some real funding to make certain that the programs that need to be implemented — there are a whole host of things that need to be done along with changes to acts here. We have to ensure not only that community after community has the necessary capacity to monitor and to enforce by various police organizations, but there need to be additional follow-up programs. Those perhaps are not known to us right now, but each community will find community-based solutions.

I don't believe this is sufficient. I don't believe this will permit us to find the kind of comfort that we should find. I am still not one who would feel reassured as a parent that my kids will be in safer conditions as a result of this bill alone. It wouldn't give me the kind of carefree attitude that we used to have when I was growing up. That's simply not going to be the case in the future.

But what I do want to see us move towards, I doubt very much that this government is committed to: the possibility for each community to have additional mechanisms in place. They now have the legal mechanisms to provide for the tracking, the monitoring and the enforcing of these dangerous offenders by police. I would like to see additional measures in place in communities. That can only come with additional programs, and that needs

resources. I don't think there is a commitment on the part of this government to those resources.

The Acting Speaker (Ms Marilyn Churley): Further debate?

Mr Gerretsen: I'll be very brief, Madam Speaker; I will be less than a minute. But let me just remind you what a very prominent individual who has a lot of knowledge about these bills, who has studied the bill, states about this. I'll read this to you right from the note:

"Everything in this bill turns on adequate information sharing between ministries, agencies and institutions. If the name change program is to work, the government must be willing to put enough resources and infrastructure into place between the registrar general and the Solicitor General, to ensure that information is transmitted quickly and accurately. Otherwise, dangerous offenders may continue to slip through the cracks. And, given this government's record on funding and staffing provincial programs, we think that there is a real potential for problems in implementing this legislation."

Let's not give the general public the idea that these kinds of dangerous situations will somehow disappear once Bill 102 is passed. It's not going to happen unless you, the government, put adequate resources in place to make it happen.

The Acting Speaker: Questions or comments?

Mr Bob Wood: I'll beat you. I would again like to offer assurance that there will be adequate resources to make this bill work.

Mr Cordiano: The member for London South, who just spoke, must know something about what's going to happen tomorrow morning, because he keeps reassuring us — he's going to be a minister, I think. He's got some knowledge that we don't. I don't see any — oh, Mr Johnson is here. I was going to say that I don't see any cabinet ministers here tonight who could make that reassurance hold.

Mr Cullen: Tony Clement.

Mr Cordiano: There you go. There are all kinds of potential cabinet ministers here tonight. Make sure you don't blow it in the 50 minutes that remain here this evening.

Once again I want to commend my colleague from Kingston, who put forward what I think was a quote from some person who was an expert in the field, who said, justifiably, that these measures need adequate funding, that the programs have to be there, that this entire program, this entire initiative, would fall apart if there wasn't adequate funding. It can only work if the government is going to commit the necessary funds to ensure that the program will work the way it is supposed to work.

But the public should not sit back and feel as though somehow we can rest easy. This is not going to make a huge difference — and I'm a parent, I say again — by way of ensuring that somehow there is a level of comfort there. We cannot take this as a way of sitting back. We have to ensure that we are still vigilant in our communities. I repeat: This government must be committed to community-based funding.

Mr Wildman: The member for London South has intervened in the debate in a very comprehensive way and has explained on behalf of the governing party all the intricacies of this debate and this bill. He's explained why the decision was made in committee not to "judicialize" the process of determining whether information should be released about inmates who had completed their sentences and were now in the community. I must say, though, the expansiveness of his speech left me confused. I'm not quite certain why the government chose not to judicialize the process, other than that I guess they were concerned about the cost involved and they didn't want to make it too complex for the police or the public.

The problem, though, is that while paedophilia is a very serious problem and other crimes of a similar violent sort are very serious and we should protect the public, I think it cannot be left solely to the police. If the government's view is that it should not be judicialized, there are other ways. The police could have to justify to some independent body the reason for the release of the information prior to making that release. I hope the parliamentary assistant helps explain, for those of us who were not in the committee to hear the debate, why the decision was made by the government party not to support the amendment requested by Alan Borovoy.

2310

The Acting Speaker: Questions and comments? Then member for Kingston and The Islands, you can sum up.

Mr Gerretsen: I think I've already summed up before, but to make the point once again, just in case there's anybody unclear about our position, we support the bill, but to make it work, enough resources have to be there. We know that the ministries of the Attorney General and the Solicitor General have been cut by \$450 million, which is almost 40% of their combined budgets. Most of this money is out of the enforcement area.

For the government to bring in this kind of bill and somehow give the general public of Ontario a feel-good feeling that we're doing something about these dangerous offenders walking the streets of Ontario, that's bogus. The only way this kind of law is going to be effectively implemented throughout the province is if you have great cooperation between all the agencies, the government departments, so the information flows back and forth very quickly and some of these dangerous offenders do not fall through the cracks. If you don't, people are going to rely on this bill, feeling that these kinds of situations will no longer occur in their communities. As a result, they will be given a false confidence.

I once again implore the government to make sure there's adequate funding available for this program. I agree with the member for London Centre on that, and he has said it at least five or six times tonight. It was almost like a commercial. Every half-hour he'd read exactly the same —

Mrs Boyd: London South.

Mr Gerretsen: Did I say London Centre? My deepest apologies. Of course I meant London South. I would never say anything like that about the member for London

Centre. But I did say something nice about him, as I would for the member for London Centre. Government, make sure you adequately fund this program. That's my plea to you.

The Acting Speaker: Further debate?

Mr Colle: I think the public appreciates that this bill is an attempt to respond to some of the concerns the public has raised in a very real way over the last number of years. I mentioned before, in response to my colleague for Ottawa West, that this is a real problem that occurs in cities. There are people released from facilities who have a track record, who have many convictions that are repetitive. They are released into the community and the question is, what does the community do?

I agree with the members who expressed concern about how you treat people, that you have to make sure you don't do it callously, that you do it judiciously and in a thoughtful way. It's not the answer to just name everyone automatically. You have to be very careful. One of the concerns the police raised about this type of activity is that naming a habitual offender sometimes forces them underground and therefore the police cannot track them. That is one of the concerns I know the police have had.

The public in recent years, as a result of the Stephenson inquiry and so forth, has asked for notification of such offenders being released into the community. All in all, this bill is at least a step in that direction. It has to be cautiously reviewed and examined to make sure there isn't an abuse of power, that it isn't done without thought and without premeditation on behalf of the authorities.

On the other hand, I just think the public today is demanding greater awareness of what's happening. They are very worried about impact on their neighbourhoods, on their children. As the member for St Catharines said, all these programs, even information programs in communities — there's the automatic dialling system, there's the police liaison programs — require funding. You can't have these programs taking place in the community without adequate funding on the street so that, first, crime is prevented, and second, police and community groups are able to deal with criminal activity.

Another aspect of funding is that there be enough funding to treat people who are mentally ill or criminally insane or whatever. You need an investment in communities to protect communities and ensure that people who are not well, who are ill, are given supports in the community. That has to happen.

The police also have to have adequate funding. In Metropolitan Toronto, we're still short about 800 police officers. We are still understaffed in our police force in Metropolitan Toronto. As much as we have community policing, new technology, new computerization, you still need those flat feet on the street. They've got to be there. Without human beings walking our streets, working with community groups, working with community agencies — the police, as you know, in recent years have become more like community officers. They do everything from organizing harvest festivals to organizing sidewalk sales. They go to schools. They have basketball programs in the

parking lots of police stations. At 13 Division they have a permanent basketball court in the parking lot. The police and their supports in the social agencies need funding. At this point in time, a lot of that financial support is in short supply.

I am also concerned about this government's attempts to introduce wide-ranging gambling programs into our neighbourhoods. As you know, in the near future electronic slot machines are going to be in every bar and every restaurant all across this province. I wonder what resources are going to be given to the police and the social agencies and to the shelters that deal with people who are going to be addicted to the electronic slot machines. They are going to be in every bar and restaurant in St Catharines, for instance. I can just imagine what's going to happen all over the Niagara Peninsula with these slot machines from Port Dalhousie up to St Catharines. They're going to be all over.

In Metro, these slot machines are going to be a plague. The police haven't been given any training, any resources, to deal with this plague of slot machines. As you know, there are slot machines in casinos; people are not that concerned if slot machines are in Niagara Falls or in Rama. But people are very concerned about the proliferation of these electronic slot machines — as the member for St Catharines calls them, the crack cocaine of gambling — into every bar and neighbourhood throughout this province.

The police have not been given any money or training to deal with the onslaught of these slot machines. What will they do to people who run short and lose to the machine? Will they be going out for more petty thievery, for more purse-snatching, for more break-and-enters because of the slot machines?

2320

I hope that this government does more than expect that the police will take care of these things. The government must support the police and the community with funding, especially since the government is going to make millions on the slots. They're going to be making millions upon millions on a weekly basis from these electronic slot machines. Hopefully, somehow, the government will come to their senses and fund our community resources, give people the opportunity for employment, give people an opportunity to prevent crime in the first place.

As far as this bill is concerned, it's one small step in terms of allaying community fears, but we need reinvestment in, as I said, flat feet on the street so that we can get people who are going to be working with communities to protect communities. You can't do it without money, you can't do it without volunteerism and you can't do it without a government that's going to invest in protecting people from the onslaught of these new technological gaming devices called slot machines.

That is the thing I think we fear most from the Niagara Peninsula to Kenora to Cornwall. We fear the onslaught of gaming that's going to proliferate every bar and restaurant on every corner, in every neighbourhood, in every community in this province.

The Acting Speaker: Questions and comments?

Mr Bob Wood: I'd like to thank the member for his words of encouragement. I think many of his points were well taken and I hope he'll follow with interest some of our anti-crime initiatives.

Mr Gerretsen: It was nice to hear the member for London South once again giving us the implication which seems to come through about once every half-hour or so. We will hold you to your word, because right now you're \$450 million short.

Mr Bob Wood: No, we're not.

Mr Gerretsen: Yes, you are. Don't say you're not \$450 million short. You are spending \$450 million less for the departments of the Attorney General and the Solicitor General than was spent in 1995-96. That's what you're short, and that's about 30% of the two combined budgets. So you have just made a commitment that you're going to restore the \$450 million, plus put in adequate resources so that this new bill that we're now going to pass tonight will be properly financed as well. I will look for your resignation if I don't see an extra \$450 million in there in the next fiscal year.

But of course the member for Oakwood is correct. When we talk about gambling in this province and when we talk about the crack cocaine of gambling, which is really what the VLTs are all about, community after community is saying, "We do not have sufficient resources to fund it." So what has the minister done? The minister has in effect tried to buy off the communities by saying, "We will give you \$1,500 for every machine that is in your municipality." Actually he hasn't said, "We will give you," but there will be \$1,500 for every machine in your municipality.

Nobody knows where it's coming from: Will it be coming from the VLT owner? Will it be coming from the province? But that's the way this government can still be assured of the government money in revenues that it gets out of these gambling machines and the municipalities can be paid off. I say shame on you. Put enough resources in there so that the policing can be done adequately in this province.

Mr Colle: I want to also thank again the member for London South, who has made a valuable contribution to the debate over Bill 102 tonight. I appreciate his commitment to ensuring that there will be safeguards and a quasi-judicial review of the bill as it progresses, and hopefully we can have a progress report on how it is interpreted by our police officers in our community. So I hold him to that commitment.

I want to thank the member for Kingston and The Islands for his usual incisive comments about everything that takes place in this House.

I just want to conclude by saying that we endorse the direction of this bill. We're just telling the government to be cautious and careful. That's what the message is from our party. Like most Ontarians, we want to make sure that the public is aware when there are dangers in a community, and I think the public has a right to know, but we're saying be cautious in terms of using this proviso in a holus-bolus fashion.

What we're also saying to the government is that if you're going to have peaceful and safe communities, you have to invest in them. You have to invest in them in a comprehensive way, from policing to social services to education, and you have to invest in them in a comprehensive way that means it's an ongoing investment. I can certainly vouch for the fact that if you have good volunteerism, good policing and employment in the community, you're going to have a vibrant community that's going to be without crime.

Again, what we're worried about most of all in this province is the flood of those slot machines, which is going to put every community in jeopardy.

The Acting Speaker: Further debate?

Mr Runciman has moved third reading of Bill 102. Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

CITY OF HAMILTON ACT (LICENSING COMMITTEE), 1997

Mrs Ross moved second reading of the following bill:
Bill Pr65, An Act respecting the City of Hamilton.

The Acting Speaker (Ms Marilyn Churley): Is it the pleasure of the House that the motion carry? Carried.

Mrs Ross moved third reading of the following bill:
Bill Pr65, An Act respecting the City of Hamilton.

The Acting Speaker: Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

CITY OF SCARBOROUGH ACT, 1997

Mr Newman moved second reading of the following bill:

Bill Pr78, An Act respecting the City of Scarborough.

The Acting Speaker (Ms Marilyn Churley): Is it the pleasure of the House that the motion carry? Carried.

Mr Newman moved third reading of the following bill:
Bill Pr78, An Act respecting the City of Scarborough.

The Acting Speaker: Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

JAPANESE CANADIAN CULTURAL CENTRE ACT, 1997

Mr Turnbull moved second reading of the following bill:

Bill Pr84, An Act respecting Japanese Canadian Cultural Centre.

The Acting Speaker (Ms Marilyn Churley): Is it the pleasure of the House that the motion carry? Carried.

Mr Turnbull moved third reading of the following bill:

Bill Pr84, An Act respecting Japanese Canadian Cultural Centre.

The Acting Speaker: Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

KOREAN CANADIAN CULTURAL ASSOCIATION

OF METROPOLITAN TORONTO ACT, 1997

Mr Jim Brown moved second reading of the following bill:

Bill Pr87, An Act respecting the Korean Canadian Cultural Association of Metropolitan Toronto.

The Acting Speaker (Ms Marilyn Churley): Is it the pleasure of the House that the motion carry? Carried.

Mr Jim Brown moved third reading of the following bill:

Bill Pr87, An Act respecting the Korean Canadian Cultural Association of Metropolitan Toronto.

The Acting Speaker: Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

2330

CITY OF YORK ACT, 1997

Mr Mike Colle (Oakwood): With great sadness, I am moving the last bill for the city of York. I move second reading of Bill Pr90, An Act respecting the City of York.

The Acting Speaker (Ms Marilyn Churley): Is it the pleasure of the House that the motion carry? Carried.

Mr Colle: Again with sadness, the last time there will be any act from the city of York, I move third reading of Bill Pr90, An Act respecting the City of York. Rest in peace.

The Acting Speaker: Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

REMEMBRANCE DAY OBSERVATION ACT, 1997

LOI DE 1997 SUR L'OBSERVATION DU JOUR DU SOUVENIR

Mr Hardeman, on behalf of Mr Kells, moved third reading of the following bill:

Bill 112, An Act to observe two minutes of silence on Remembrance Day / Projet de loi 112, Loi visant l'observation de deux minutes de silence le jour du Souvenir.

The Acting Speaker (Ms Marilyn Churley): Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

HOUSE SITTING

Hon David Johnson (Chair of the Management Board of Cabinet, Government House Leader): I move that notwithstanding standing order 6(a), when the House adjourns today it shall stand adjourned until Monday, November 17, 1997.

The Acting Speaker (Ms Marilyn Churley): Mr Johnson?

Hon David Johnson: Madam Speaker, I think the motion stands for itself. In view of the hour, I will decline my opportunity to debate it this evening.

The Acting Speaker: Further debate?

Mr James J. Bradley (St Catharines): It was very kind of the government House leader to leave extra time for me to speak on this motion tonight. I'm going to disappoint the government House leader by saying that I intend to be quite brief this evening. Even though I have 60 minutes in which to put forward some views on this motion, I intend to be uncharacteristically succinct in putting my arguments this evening.

I do want to take advantage of this opportunity to commend the member for York Mills — no, sorry, not York Mills, Don Mills — Don Mills and York Mills both, but the government House leader on his responsibilities that he has carried out as government House leader. I have enjoyed working with him. It's always very difficult to be the House leader and I've enjoyed that opportunity, as I did, to work with Ernie Eves, to work with Dave Johnson in that capacity. The word is out there pretty strongly that he will no longer be House leader as of tonight and he'll be replaced by the Honourable Norm Sterling, who I know will be as flexible as we all expect Norm to be on these varied matters.

As well, my friend Bill Saunderson has indicated that he will not be continuing in his position in the cabinet — that's out in the hallway; everybody knows that — and will be taking on a new responsibility, a very important responsibility for which I happen to believe he is very well qualified and will do a good job in this new responsibility that he has.

I must say I've enjoyed having him here as a cabinet minister. He is an individual, I've said on many occasions, and not simply to be flippant or anything of that nature, who actually gave some honest answers in the House. This isn't a put-down of other ministers, but Bill, coming from a different sector, from the private sector, and probably not recognizing immediately that cabinet ministers never really give the full and frank answer, was prepared to give that full and frank answer, and while sometimes I would disagree with it, I appreciated that. I wish him well in his new responsibilities. I know that he has also indicated publicly — I've heard this on news broadcasts — that he will not be contesting the next election. He has served the people of his constituency extremely well to this point and will for some time to come. But I'm pleased for him for his new responsibility, that he will be assuming that responsibility.

I simply want to add as well that it seems to me that, if I can now sound political, having been non-political, the government is in full panic. The government appears to be in full panic. There's been a rumoured widespread change in the cabinet, people being shuffled everywhere. I didn't think the Premier would accept my advice when I kept saying, "Time for a shuffle," but he apparently has. We will see how people do in their new responsibilities.

I want to tell those of you who didn't make it in this time that I did campaign for you, and that's why you didn't make it in. I put in a good word with Premier Harris for you. If not this time, next time. As you know, Premiers always say, when they get into the caucus meeting after a new cabinet is sworn in —

Mr Mike Colle (Oakwood): "This is the last one."

Mr Bradley: No, he won't say, "This is the last one." He'll say, "There's going to be another shuffle, so if you just behave yourself and do everything you're supposed to and be supportive of the team, you still have a chance for it."

Mr Steve Gilchrist (Scarborough East): Jim, there will be another motion.

Mr Bradley: I may have inadvertently said earlier this evening that my friend from Scarborough East was going to be the new minister of privatization. That may have to wait. I just saw him come in with a Harry Rosen suit on and I thought that perhaps this meant he was going to be elevated to the cabinet.

Just so the public who are riveted to their television sets at this time, having turned off Jay Leno and all others who are on this evening, and maybe even the ballgame, maybe it's between innings of the ballgame — by the way, I do want to report that Cleveland is now ahead 5-4 as a result of Marquis Grissom's three-run home run in the bottom of the eighth. That's good news for Bill Saunderson and me, who in this series would favour the Cleveland Indians.

To all of you, I wish you well for the little break that you're going to have, though all of us know this isn't a break for those of us in this House. I am here forever, or whenever the people of the constituency of St Catharines give me the pink slip. You're always one election away from that, of course. I just want to indicate that to you.

2340

Mr John R. Baird (Nepean): There's a letter for you, Jim.

Mr Bradley: I see a pink slip being issued across there.

I wish the new Minister of Education good luck because he's got a tough challenge out there. He was described as "Mr Fix-it" on the 11 o'clock news. Earl Manners was even — well, I wouldn't say complimenting him —

Hon Janet Ecker (Minister of Community and Social Services): I wouldn't say that, either.

Mr Bradley: But Earl Manners wasn't complimenting him tonight, so he should be happy with that.

I understand that the chief government whip, who has the whitest shirts in the Ontario Legislature, by far, is now

going to be a member of the cabinet. He has cabinet status. All of you who have been calling him names other than David or Mr Turnbull or Mr Whip can now call him the Honourable David Turnbull because he will be chief government whip and a member of the cabinet. I wish him well in that. I saw him at Addison motors just a while ago checking out his new limousine, and I notice that he doesn't reach for the door any more. There is somebody there to open the door for him so he does have ministeritis already, or something like that.

Anyway, we will be back. I'm glad that the motion says we will be back in November. I hope the committee hearings are very productive. I hope that we don't have — what do you call that fancy machine they have now? You can tell how electronic I am.

Mr Colle: Teleprompter.

Mr Bradley: Not the teleprompters — teleconferencing. I hope we don't get into this teleconferencing; that we actually go to those communities, meet with the brothers and the sisters, meet with the men and women and children who are there, hear their point of view and actually listen to it.

So I'm delighted with this motion and I'm glad we're going to be back. I know that the government House leader will be passing on to the new government House leader his advice that we revert back to the old rules that existed before the change in August. If he does that, he will have left in a light that can only be seen as a bright light for all of us in the Legislature.

The Acting Speaker: Further debate?

Mr Bud Wildman (Algoma): I wasn't intending to participate particularly long in this debate on the calendar motion, but I've been provoked. I want to congratulate my friend from St Catharines on surviving one more House leader.

I want to say, as House leader for our caucus, that I've enjoyed working with the member for Don Mills and I wish him well. I'm sure that I'll be working with him again in that portfolio — perhaps not with him as opposed to against him, unless there is a shuffle on this side that I haven't heard about yet. I hope that the minister found his briefing on Bill 160 this evening interesting and edifying and that he will be ready to go out to meet with the teachers' federations and to resolve all of the problems that have occurred that led to this cabinet shuffle.

I do say that in working with the member for Don Mills in his capacity as the government House leader, it has been an interesting experience. We've had time to spend together late in the evening and we've gotten to know each other and we've still respected each other in the morning.

I would also say that, along with the government House leader, I've still yet to hear what position the Liberal House leader is going to take on the bills that we've been discussing for the last year and a half.

I am looking forward to the opportunity to work with the new government House leader, who I have known for many years in this assembly, and I am sure that he will be as affable and as accommodating as the current govern-

ment House leader, who turns into a pumpkin in about 15 minutes.

I want to also congratulate the chief government whip on his elevation to this new high status. I am sure he will do all he can to moderate the new regime with the new government House leader and to ensure that everything works well and there's a good, affable feeling among all of us, and that he will do everything he can to ensure that the member for Carleton is not too stubborn in his approaches and is more flexible.

I would say that I don't think the member for Don Mills appreciated the necessity to bring in the new rules. Maybe I'm giving him too much on that. I do regret some of those changes, but I don't hold it against him personally.

Having said that, I did think there was something in this motion missing. It says we're coming back on November 17. I am trying to understand the calendar these days and I realize that the fall started in August, so when we come back on November 17, is this a continuation of the fall or is it the beginning of winter? Or is it the spring session?

Hon Mrs Ecker: It's the spring session.

Mr Wildman: It's the spring session. I do congratulate the minister and wish him well in his new portfolio, and all of the ministers who have been appointed to new portfolios or to new positions in the cabinet. To those who are leaving the cabinet, all the best in the future. To those of you who didn't make it this time, hope springs eternal.

The Speaker (Hon Chris Stockwell): Further debate? Did something happen? Did they have a cabinet shuffle or something?

Interjections.

Mr Bradley: Are you not waiting by your phone? I think I hear the phone ringing in the Speaker's office.

The Speaker: And to think I don't have voice mail.

Mr Johnson has moved government notice of motion number 52. Is it the pleasure of the House that the motion carry? Carried.

Hon David Johnson: I'm with you, Mr Speaker. I have no idea of what they're talking about at all.

Mr Bradley: It's obviously a bloated cabinet now. They have two more members.

APPOINTMENT OF PRESIDING OFFICERS

Hon David Johnson (Chair of the Management Board of Cabinet, Government House Leader): I move government notice of motion number 51: That, notwithstanding the order of the House dated October 9, 1996, Ms Churley, member for the electoral district of Riverdale, be appointed Deputy Speaker and Chair of the committee of the whole House; that Mr Johnson, member for the electoral district of Perth, be appointed First Deputy Chair of the committee of the whole House; and that Mr Morin, member for the electoral district of Carleton, be appointed Second Deputy Chair of the committee of the whole House.

The Speaker (Hon Chris Stockwell): Is it the pleasure of the House that the motion carry? Carried.

Hon David Johnson: Mr Speaker, although I have no idea whatsoever what my two honourable colleagues

opposite are referring to, I would say it has been a delight to work with the member for St Catharines and the member for Algoma over the past year. Some of the comments I can identify with. The comment about not knowing precisely where one of the House leaders stood on each and every issue does come to mind. And then, pertaining to the other House leader, there's the saying: "If you build it, they will come. If you call it, we will debate." What that means precisely I haven't quite figured out yet, but maybe I'll have less need in the future to understand precisely what it is.

At any rate, I have appreciated working with both of the members and the whips as well, and my colleague David Turnbull from York Mills in that capacity.

I would also, in terms of this particular motion, like to congratulate the member for Riverdale. It is a little known fact, but the member for Riverdale becomes the first woman Deputy Speaker of this Legislature. I add congratulations to the member for Perth, of course, and add my congratulations to Mr Morin for his excellent service over the past year.

Simply at that point, I wish everybody a happy five-week break. I know many members will be working hard. We call it a break, but that's not true, is it? We know absolutely that we have —

Mr Joseph Spina (Brampton North): Prep time.

Hon David Johnson: You get 25% more prep time — no, committee work. I see you're getting anxious, Mr Speaker. I'd like to congratulate you too for the fine job you've done.

But three hard weeks of committee work and constituency week, and we'll see you all back on November 17.

The Speaker: I'll need a motion to adjourn.

Hon David Johnson: I move that this House now stand adjourned.

The Speaker: The government House leader moves adjournment of the House. Is it the pleasure of the House that the motion carry? Carried.

This House stands adjourned until November 17 at 1:30 of the clock.

The House adjourned at 2352.

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Lundi 17 novembre 1997

Speaker
Honourable Chris Stockwell

Clerk
Claude L. DesRosiers

Président
L'honorable Chris Stockwell

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 17 November 1997

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 17 novembre 1997

*The House met at 1331.
Prayers.*

WEARING OF GREEN RIBBONS

The Speaker (Hon Chris Stockwell): I notice there are some members who are wearing ribbons. They are out of order. I ask those members if they would remove the ribbons, unless you seek unanimous consent. If you get unanimous consent, of course they would in fact be in order.

Mr James J. Bradley (St Catharines): Mr Speaker, I seek unanimous consent to wear the ribbons, which are an expression of democracy.

The Speaker: The member for St Catharines is seeking unanimous consent to wear their green ribbons. Agreed? I heard some noes; therefore, they're out of order. I ask the members to take them off.

GOVERNMENT ADVERTISING PUBLICITÉ GOUVERNEMENTALE

The Speaker (Hon Chris Stockwell): The member for Algoma, you had a point of privilege?

Mr Bud Wildman (Algoma): Yes, Speaker. I have given you the required notice. I rise to bring to your attention Progressive Conservative government advertising that was aired on television across the province over the weekend as a message from the government of Ontario. I've submitted the text of these advertisements to you. They were widely broadcast.

The Speaker: Member for Algoma, I appreciate and I want to listen, but I must caution the members who have the green ribbons that they must be removed and taken off your desks. They can't be exposed. I don't know what the green heart is. I presume that's a political expression as well.

Ms Frances Lankin (Beaches-Woodbine): It's my heart.

The Speaker: Okay, sorry. I didn't know. If it is, that's fine. It appears to me that you too are wearing that green heart, so unless it's a fashion statement — I don't think it is, as a matter of fact, so I'm going to declare that as a political statement as well.

Mr Tony Silipo (Dovercourt): Do you have a problem with two people wearing the same brooches?

Mr Wildman: No, but I believe that is not a fashion statement. I think it's more of a political statement, that's all. Member for Algoma.

Ms Lankin: On a point of order, Mr Speaker —

The Speaker: I'm now dealing with a point of privilege, member for Beaches-Woodbine.

Ms Lankin: I have a point of privilege with respect to taking this off.

The Speaker: Then I'll hear it after the member for Algoma.

Mr Wildman: That matter, I suspect, will be dealt with subsequent to this matter.

I rose on a point of privilege to bring to your attention, Speaker, commercials that were aired widely across the province sponsored by the provincial government and paid for with taxpayers' money. I first heard these advertisements on Friday evening. I saw them again on Saturday and on Sunday, over the weekend. The language in these commercials is blatantly partisan and it is designed to put forward the message of the Progressive Conservative Party with regard to their position and their dispute with teachers' federations in this province over Bill 160. These ads are not intended to provide information to the public, to the taxpayers. In fact, they don't provide complete or correct information. They are completely one-sided and partisan in nature. I don't dispute that if the Conservative Party wished to advertise its position with regard to education in the province, or Bill 160, it would be quite proper, if the party so determined, to buy advertising time and to advertise across the province on behalf of the Conservative Party.

However, I draw your attention to the text. It says at the bottom, "A message from the Ontario government." Thus, we know the advertisement was paid for in production and distribution by the taxpayers. I ask you, if you look at the text, to determine whether or not this is an attempt to give information or to put forward a partisan political message. It starts off by saying, "Why do the Teachers' Unions Oppose Education Reform?" assuming they do oppose education reform. It then says, "The union bosses want school boards to keep the power to raise your property taxes" — the "union bosses," hardly a tone which is used when you are attempting to get information across rather than attempting to influence in a political manner.

Then it says further, "They want the ability to increase class size through union contract negotiations." That is, the "union bosses" want to increase class size, according to this advertisement paid for by the taxpayers of this province. "They want high school teachers to spend an average of three hours and 45 minutes in the classroom." They want "higher taxes, bigger classes; less time teach-

ing kids. That's what the union bosses want to protect; the status quo. A message from the Ontario government."

Then the other ad: "Why is Your Government Reforming Education in Ontario?" This sounds as if it might in fact be an attempt to get information across to the public in a non-partisan way, but it starts off by saying: "We want to stop school boards and union bosses from raising your taxes. We want to limit the average class sizes to no more than 25 elementary students per class." Again this is an attempt to influence public opinion in a politically partisan way against the leaders of the teachers' federations who have been engaged in a considerable dispute with this government. It is not an attempt to get information across about the government's education agenda or Bill 160.

In fact, this information is filled with innuendo and misinformation. Contrary to the claims of these advertisements, the teachers' federations and the school boards historically have been able to negotiate issues like class size and in most cases they have attempted to negotiate them downwards and put limits on them. The teachers' federations, not the union bosses —

The Speaker: Member for Algoma — and I don't want to cut any member's point of privilege short — I think I have a good idea about what you're driving at with respect to your point. If you want to add some more comments, I'd be interested, but I don't want to get into a political debate about the thing.

Mr Wildman: I just want to point out that that is what this is, political debate, rather than providing information. Contrary to what is in this commercial paid for by the taxpayers of Ontario, 60% of whom are opposed to Bill 160, the teachers' federations proposed a reduction in class sizes to be negotiated.

Having said that, Speaker, I recognize you have ruled on matters similar to this in the past — this government apparently still hasn't learned from what you've indicated in this House in the past with regard to partisan advertising — and you've indicated that your personal views on this subject are clearly on the record. You stated that on February 24, 1997, in Hansard, page 7154. You went on to say that in that particular instance you could not find a *prima facie* case of privilege.

I submit to you, Speaker, that if you review the content of these ads, the wording of these commercials, it goes beyond simply a matter of personal opinion but is a blatant attempt by this government to use taxpayers' money to win political points for the political party that is in power rather than disseminate information to the public about Bill 160. I ask you to rule on that matter.

1340

Mr James J. Bradley (St Catharines): Mr Speaker, I'll save you a problem. I gave you similar notice of this and I will speak at this time and save two different points of privilege coming forward.

The concern all fairminded people would have, and I consider all members of the Legislature to be fairminded, is that in fact we have the government now escalating its

advertising campaign and changing the tone of its campaign.

Previously, members of the opposition, myself included, have risen in this House to speak to this matter, that is, the use of taxpayers' dollars by the government of Ontario, through various ministries or through the auspices of the entire government, to purvey a clearly partisan political message to the people of the province.

If the Progressive Conservative Party, whose coffers are full of money these days from developers and others, wished to raise issues and pay for advertising, it seems to me that's what they should be doing, in other words, using the money of the Progressive Conservative Party, not of the taxpayers of Ontario because clearly, as the text of these ads indicates, this is not information.

If the government were to publish, for instance, direct information on the bill, many people would find it more acceptable, though I suspect the government cannot do this in an impartial way. But what we see are clearly combative pieces of advertising denouncing certain people in this province, pointing out and ascribing motives to various people in this province who are in opposition to the government.

When they say it's a message from the Ontario government, I think it's clear that's not paid for by the Progressive Conservative Party but rather by all people in Ontario. When they ask the question — and I know you will want to get hold of the content of these ads yourself — "Why do teachers oppose education reform?" clearly that is pointing out an interpretation by the government of the people who are in opposition to it.

I don't know why the government would say this, because it would be totally inaccurate, but it is a partisan message. If it were a partisan message by the Conservative Party, then one understands there's going to be a slant to it. We don't like it, but we understand that when the Conservative Party is putting it out, they're going to put the Conservative Party position out. This, however, is the government of Ontario. When they say that, as they call them, union bosses want school boards to keep taxes high, to keep spending a lot of money, again they are pointing out motives of people who are in opposition to them. When they talk about boards of education and teachers wanting higher taxes, surely when they point that out, they are again denouncing them.

I look at all of the content of this, and then I look at your ruling, which I think was an important ruling some time ago. This was on the city of Toronto bill. The statement you made, which all members of the Legislature should remember — I certainly remember it — is as follows:

"On a separate but related matter, the member for St Catharines, Mr Bradley, expressed concerns on Tuesday last week about the unequal access to advertising resources, as between the government and opposition." I'm quoting you now, Mr Speaker. "He asked whether the Speaker had any jurisdiction to restrict the government from disseminating allegedly self-serving, partisan advertising.

"At this point in my ruling, I want to express some personal concerns about the propriety of public funds being used to advocate, through advertising, a particular position on a matter that is before the House." Clearly, this is before the House.

"Let me be clear" — this is the Speaker speaking — "I am not speaking here about politically paid-for advertising, but rather about funds that are contributed to by every Ontarian regardless of his or her political view. Personally, I would find it offensive if taxpayer dollars were being used to convey a political or partisan message. There is nothing wrong with members debating an issue and influencing public opinion. In fact, it is part of our parliamentary tradition to do so. But I feel that it's wrong for a government to attempt to influence public opinion through advertising that is paid for with public funds which, I might add, are not available to the opposition, instead of through debate in the House.

"As I say, these are my personal views."

I must say, Mr Speaker, when you expressed it at that time, I was under the impression that the government was actually going to listen to that cautioning on your part. I use the word "cautioning" advisedly, because clearly you have stated in your previous ruling your objection to this. I don't know how anybody could possibly define the ads that we heard on the weekend, obviously devised by the whiz kids in the Premier's office, as being anything other than partisan political advertising paid for by the taxpayers of Ontario.

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): Mr Speaker, on September 10 you considered a similar point of privilege put forward by some of the same members who have spoken with regard to this point of privilege. You said in your decision:

"Your argument being that it isn't balanced" — that is, the advertising or the information flow wasn't balanced — "and reasonable, or it isn't fair, and the government has the advantage that the opposition doesn't have when it comes to reporting to the people of the province of Ontario — whether or not that's true is academic. I as Speaker don't have any power to determine whether or not something is balanced or reasonable or information-based or not."

Mr Speaker, the opposition has one view of the information being presented; we have an opposite view of the information being presented. We believe the information to be true, correct and information which is necessary to portray and tell the people of Ontario about our position.

I do not believe that this is a point of privilege.

M. Gilles Bisson (Cochrane-Sud): Monsieur le Président, sur un point de privilège: je me suis intéressé au commentaire que le leader parlementaire du gouvernement a donné sur sa position. Je veux que vous regardiez cette situation-là très clairement.

Premièrement, qu'est-ce qui est arrivé? Le gouvernement a dépensé de l'argent public afin d'acheter des publications —

The Speaker: I think I've ruled the lapel pins out of order. I'd ask for them to be removed. I won't hear you speak while you're wearing them. I ask the other members —

Mr Gilles Pouliot (Lake Nipigon): Point of order, Mr Speaker.

The Speaker: I'm already in a point of privilege. I've dealt with that one already. I'm going to come back to that.

Interjection.

The Speaker: Member for Lake Nipigon, I ask you to come to order right now, please. I want you to remove the ribbon. Thank you. Member for Cochrane South.

M. Bisson: Ce qui est arrivé, c'est simplement que le gouvernement provincial encore, pas pour la première fois mais pour une multitude de fois, a décidé de dépenser de l'argent public pour acheter des publications pour avancer un message politique.

Monsieur le Président, quant à moi, le Règlement de la Chambre — les règlements de ce qu'on peut faire comme député — est très clair. On ne peut pas prendre de l'argent public afin d'acheter des publications pour avancer un point politique. C'est pour ça qu'on a des partis politiques, c'est pour ça qu'on a des associations de comté et c'est pour ça qu'on a des partis provinciaux qui font la perception de fonds qui est nécessaire pour être capable d'avancer un message politique. Rien de mal sur ce bord-là.

Mais quand le gouvernement utilise sa présence dans le gouvernement, et son pouvoir, pour prendre de l'argent public pour faire des publications qui sont carrément politiques de nature, ça veut dire que le gouvernement, quant à moi, est en train d'abuser non seulement de son droit comme gouvernement mais son privilège comme gouvernement. Comme vous le savez, c'est non seulement pas acceptable, c'est seulement le gouvernement qui peut le faire. Je demande au Président à ce qu'il regarde à cette situation-là. Vous l'avez fait. Vous avez déjà pris une décision au mois de septembre passé.

Le dernier point, et je veux en faire seulement un autre et ça ne va prendre qu'une minute: M. Sterling, le membre qui est responsable comme leader parlementaire pour le gouvernement conservateur, s'est levé ici dans la Chambre et a dit: «Écoute, c'est strictement académique si c'est politique ou non politique.» Ce n'est pas académique. C'est très clair que le gouvernement a utilisé l'argent public pour acheter des publications à travers la province pour avancer un message politique.

1350

The Speaker: Thank you, member for Cochrane South. As I said earlier, I don't want to cut any debate off. I think it's an important point of privilege raised by the member for Algoma and I will hear it as long as members want to submit. But if you could bring up any new points of order, I'd greatly appreciate it, rather than reiterating ones I've already heard.

Mrs Lyn McLeod (Fort William): Mr Speaker, I want to make one additional point to the comments already made by our House leader. I appreciate the fact

that in previous rulings on the use of government funds for advertising there's sometimes a fine line between what is considered informative and what is considered partisanship. But I really believe that this new advertisement that was launched by the government this weekend crosses a very different line. I think it goes well beyond a violation of the points of privilege, the privileges of the members of this assembly, but that's the only article under which we can rise to speak to it.

If you've looked at the text of these ads and their presentation, you will realize that this is nothing short of a vicious attack being launched on a group of people who dared to oppose the government's agenda.

I say to you with as much conviction and concern as I can summon that I don't believe we have ever, in a democratic society and certainly not in this country, seen that kind of attack on opponents of a government launched by the government itself. It is unconscionable, and the fact that it is being paid for with public money is almost incidental to the fact that our democratically elected government would launch this attack at all.

Applause.

The Speaker: Order.

Mr Bud Wildman (Algoma): I just want to respond briefly to the comments of the government House leader. At one point I guess the government House leader slipped in his remarks and said that these ads were a portrayal, and they are indeed a portrayal. They don't talk about leaders of teachers' federations or of teachers' unions. They talk about union bosses in the tone — unfortunately, Speaker, you have the transcript but you haven't got the actual tone that was used by the announcer in making these statements. This is an attack on those leaders who represent the teachers of this province in a way that is —

The Speaker: Thank you, member for Algoma. Come to order, please.

Mr Wildman: — paid for attacking a group —

The Speaker: Member for Algoma, I warn you to come to order. I think we've entered into political debate at this point.

I will get copies of the advertising. It's TV advertising, I take it, that is at issue here. I will endeavour to get copies of the advertising and review them and report back to the House as soon as possible.

WEARING OF GREEN RIBBONS

Ms Frances Lankin (Beaches-Woodbine): Mr Speaker, I am rising on a point of privilege with respect to your ruling that we must remove any article which you have deemed to be a political protest; in this case today, the green ribbons and the green heart which I and my colleagues were wearing on the lapels of our jackets. I'm asking you to give consideration to that ruling, not immediately, but to come back to this House perhaps, and I would like to give you a couple of reasons.

The rulings that you make in this House, we have now understood, have much broader reach than just the jurisdiction, the legislative precinct, for which you are

responsible. In the last week I have had three constituents come to see me or call me and raise specific complaints about the treatment they received from members of the Ontario Government Protective Service, not here in the legislative precinct but in the Mowat Block.

Specifically, Mr Doug MacMillan, who was there with his sister-in-law and four children — two of each had their children there — was refused entry because he was wearing a green ribbon. Mr Speaker, he also had a poppy on: a poppy and a green ribbon. He was told by the security guard he could not enter a public building because he had a green ribbon. I understand you do not have jurisdiction for that, but that ruling by the OGPS, the Ontario Government Protective Service, comes directly from the rulings that you have made with respect to this House.

In a second incident — I'll be very brief describing the second incident — Anna Semple and Anne Runyan, also from my riding, with three children, parked in the underground of the Macdonald Block and were attending a parents' rally outside the Mowat Block. From the underground parking lot, you have to come up the elevators and come through the lobby. As they were coming up the elevators, they were stopped by a security guard. Their children had signs on; they were to take part in the rally. They were told that they had to give their signs to the security guard, that he was confiscating them. They asked, could they not just simply get out the door, because their intent was to go outside, and he said no, and in fact told them that if they refused, he could charge them and arrest them.

Again, I understand that you have no direct —

The Speaker (Hon Chris Stockwell): Member for Beaches-Woodbine, you've got to wrap, because these aren't even under my jurisdiction.

Ms Lankin: I realize that. The reason I raise them is because the security guards who are working for the government in those government public buildings appear to be taking their directions from the rulings you have made in this Legislature.

Mr Speaker, there are many occasions when white ribbons are worn in this Legislature, when red ribbons are worn in this Legislature. I think, as opposed to political buttons, and I understand why you've ruled them out of order, which have clear messages and words on them, individual members expressing support for a cause, whatever that cause is, should not be able to be determined by the majority government, which is the case when you leave it to a ruling of unanimous consent. In this case, anything that you deem to be a political statement therefore becomes suspect.

I'll tell you, when I got up this morning, I specifically put on an apple green blouse as a political statement. I hope that you're not intending to do anything about that, and I would point out in the galleries —

The Speaker: No, I have no plans to do anything about that. Let me just say —

Mr Tony Martin (Sault Ste Marie): Mr Speaker, on the same point —

Mr Alex Cullen (Ottawa West): Mr Speaker, on the same point, my point of privilege —

The Speaker: You've got to take your ribbon off or I'm not even going to recognize you. Member for Ottawa West —

Mr Cullen: I'm addressing the same item.

The Speaker: I heard you. I'm not recognizing you until you take your ribbon off. Member for Sault Ste Marie.

Mr Martin: On the same point, Mr Speaker: Just this past month in Sault Ste Marie, two standing committees of this Legislature arrived with all the attached accoutrements, but this time, for the first time in my seven years, security at each of the doors, and as people came through to participate in the democratic process of appearing before a standing committee of the Legislature, they were accosted as they entered to see what they were wearing, if they had any buttons on.

The question I have is, how far afield does this Gestapo-like control of the way people who are exercising their democratic rights to come forward and express themselves to these committees —

The Speaker: Member for Sault Ste Marie, if you could take your seat, please.

Mr Martin: I have just been told to sit down by one of the members across the way. I would like —

1400

Interjection.

The Speaker: Member for Sault Ste Marie, I'm asking you now to take your seat. If you don't take your seat — one more warning: Please take your seat or I'll name you.

Interjection.

The Speaker: Member for Lake Nipigon, come to order. Member for Lake Nipigon, heckling "Take your seat" or "Sit down" is not out of order.

If I can move on, the committees run themselves. Members run the committees. I don't have a say in how —

Interjections.

The Speaker: Member for Sault Ste Marie, I'm not going to warn you again. I heard your point of privilege.

Interjection.

The Speaker: Member for Sault Ste Marie, I'm going to name you next time you get up.

Member for Ottawa West, can I finish what I was saying, please? Thank you. I know you want to get up on the point of privilege.

With respect to the point of privilege, point of order, it's simply not a point of order for this place. It's a point of order potentially for your committee, but it's not a point of order for the Legislature.

I'm not there. I don't know what jurisdiction or what rules are made at the committee level and it's not up to me to interpret them. That's up to the committee to decide, and the committee Chair and those members of the committee.

With respect to the member for Beaches-Woodbine, I don't know what happened at the Macdonald Block or the other blocks. If they take their rulings from in this place, I don't direct them to do that.

Mr Gilles Bisson (Cochrane South): It's a government order.

The Speaker: Member for Cochrane South, come to order. Thank you very much.

Mr Bisson: You're welcome.

The Speaker: I can only direct to this House what it is I ruled in that 10-day filibuster, which was, there can be no buttons, ribbons etc worn. I understand that some members want to come in here and make a political statement. I think that's important that we do that, as all members should do it, in their place when they're speaking.

Anybody can come in here and ask for unanimous consent to wear any ribbon and any button on any day, but it's not a majority thing. Any member could stop any other member from wearing any button or ribbon. Any one member, as long as they didn't give consent, can stop any buttons or ribbons being worn in this place. So it's not a majority decision. All members must agree before it can be allowed to be worn. That is the one difference.

I find it just a lot simpler if I rule all ribbons and all buttons out of order, rather than start determining what is in order and what isn't in order.

Lastly, the member for Ottawa West.

Mr Cullen: On a point of personal privilege, Mr Speaker: I've listened to your comments, but I have to draw your attention to standing order 21(a), which states quite explicitly: "Privileges are the rights enjoyed by the House collectively and by the members of the House individually conferred by the Legislative Assembly Act and other statutes, or by practice, precedent, usage and custom."

Mr Speaker, I believe the Charter of Rights and Freedoms does apply here to this House. I stand here not only with a green tie, but a green ring, worn by my grandfather during the struggle for the independence of Ireland, in commemoration of a despotic government that banned the wearing of the green 150 years ago.

Mr Speaker, I can say to you therefore that wearing green, whether it is to support the parents and the teachers on Bill 160 or wearing green to recognize the struggle for independence, or wearing any other colour, I believe falls under the freedoms that are enjoyed under our rights and privileges under our Constitution.

I am proud to put this on and I believe in so doing —

The Speaker: I ask the member to take the ribbon off or I will name the member. I am only giving you one warning.

Interjection.

The Speaker: I understand. I name the member for Ottawa West.

Mr Cullen: Which do you want me to take off, Mr Speaker, the tie or the ring or the ribbon?

The Speaker: It's not up to me to tell you what to take off and what not to take off.

Mr Cullen was escorted from the chamber.

Mr Peter Kormos (Welland-Thorold): On a point of order, Mr Speaker: In view of how the Speaker is ruling, I notice a whole whack of government members wearing

their silly little "I'm an MPP" buttons as if it accorded them some sort of rank or status when in fact at this point in their history as a government it's quite to the contrary. I'm not consenting to their wearing those buttons; perhaps the Speaker would rule on that as well.

Mr Bisson: On a point of privilege, Mr Speaker —

Mr Kormos: Mr Speaker, what about the buttons? I'm not consenting to them.

The Speaker: I assume it's on the same point of order.

Mr Bisson: Exactly. On the point of privilege, Mr Speaker, I am interested in your ruling because you're —

The Speaker: Member for Cochrane South, is it on the same point of privilege?

Mr Bisson: I actually have two. One is related to that, and I'll come back to the other one after, separately.

You make the point —

The Speaker: Let me rule on the one first before you come back to your separate one.

Mr Bisson: I want to be clear. Mr Speaker, you're making a point that members of the assembly cannot come in here with any kind of lapel pins or brooches or ribbons, anything that signifies any kind of political campaign. I notice the government members across the way are wearing their chamber of commerce, CFIB pins. If that's not a political statement, if that's not a political message, I don't know what it is. I would like to know, is that a —

The Speaker: Member for Cochrane South, if you read my ruling, the ribbons and buttons ruling that I made in April, you would see right in that ruling that I spoke directly about those types of pins and buttons and I delineated between the two. So if you read the ruling, I think you'd get a very clear answer as to what it was I was ruling on.

GOVERNMENT ADVERTISING

Mr Gerry Phillips (Scarborough-Agincourt): On a point of privilege, Mr Speaker: I gather from your comments that you plan to review the material and to rule on it in the future.

The Speaker (Hon Chris Stockwell): Yes.

Mr Phillips: I'd just like to add a couple of thoughts as you're considering it. One is that we in the opposition look to you, Mr Speaker —

Interjections.

The Speaker: Could I just get some order, please? Government whip, if I could just get some order. I'm having a very difficult time hearing.

Interjections.

The Speaker: Member for Parkdale.

Mr Phillips: There are two things to consider while you're considering this, Mr Speaker. One is that we in the opposition, and I think the public, look to you as one of the key protectors from the abuse of power by any government. It's a difficult role but one that perhaps is your most important role. In our judgement, the advertising is a gross abuse of power. It is the state using the public's resources to attack the public.

As we look at the future, governments of any stripe cannot be allowed to abuse their power in such a way, so we are looking to you to help redress this issue both for the opposition and I think for the public.

The second point that's very important is that the public confidence in their democratic institutions in some respects is at stake here. I don't mean to overstate the issue, but I think this is a significant weakening of the confidence that people have in their democratic institutions when they see such, in our opinion, gross abuse of power where the government will so directly attack a group in our society using public funds, using language that can only be described as provoking a conflict.

For those two reasons, Mr Speaker, we are looking forward to your examination of this issue. We don't underestimate the importance of it, both protecting the opposition and the public from abuse of power by any government and helping to restore some confidence in this democratic institution.

1410

MEMBERS' STATEMENTS

EDUCATION REFORM

Mr Rick Bartolucci (Sudbury): At the height of the civil action by the teachers, the Ontario Conservatives held a fund-raiser in Sudbury. Although it wasn't nearly a sell-out, the Premier did slither into town under cover as he drove through the estimated 3,000 people. The Premier avoided the crowd very, very capably. However, he couldn't avoid the people who were outside.

Even the most ardent Tory was upset when the Premier of this province started his presentation to the converted by saying, "I can't understand why every time I come to Sudbury they have a parade for me."

The people of my city, of my riding, found those comments to be insulting, and so do the rest of Ontarians find those comments to be insulting. That's the problem with this Premier and his band of revolutionaries: They don't listen. They wouldn't listen to the 3,000 Sudburians, the parents, the students and the teachers, who wanted to voice their concerns with Bill 160. I wonder, will he listen to the in excess of 100,000 people who signed letters and petitions? Will he listen to them as we now bring them over to him?

The Speaker (Hon Chris Stockwell): Member for Cochrane North.

Mr Len Wood (Cochrane North): My statement today is about protection of public education in Ontario. From day one the Mike Harris Conservatives have spun a web of confusion and half truths —

The Speaker: Stop the clock. You know what, member for Cochrane North? I think I'll just allow this to happen today. It's cutting into your statement.

The member for Cochrane North.

Mr Len Wood: From day one the Mike Harris Conservatives have spun a web of confusion and half truths

about education funding. The Tory revolution pledged classroom funding for education would be guaranteed. It's been cut right across the province in every area we look at in education.

We have seen over the past few weeks' demonstrations clearly that the Conservative government has broken every promise on education. The government seriously lost credibility by rushing to seek an injunction instead of attempting to seriously negotiate a solution with the teachers. The ruling by Judge MacPherson confirms that the government was wrong.

Though the teachers are back to work, the fight continues. Last Saturday morning I helped kick off a green ribbon campaign with the parents, students and teachers. We had a couple of hundred people who joined in the circle in Kapuskasing and headed out in different directions, tying ribbons on all the car aerials, all the public schools, all the public buildings and asking everybody, including the Conservative back-bench members, to wear green ribbons in support of hope for public education against what Mike Harris has decided: to cut billions of dollars out of education and destroy public education in Ontario. We will not stand for it.

BRIAN ROBINSON

Mr R. Gary Stewart (Peterborough): I am proud to rise and congratulate a constituent of mine who recently was awarded a special award for fire safety.

On November 14, Brian Robinson, a firefighter from Peterborough, as among nine individuals from across the province to receive the distinguished Fire Safety Award from the Ontario fire marshal at a special ceremony. Brian received this award for his comprehensive fire safety presentations at the Trent Child Care Centre over the past two years, teaching children how and what to do in the event of a fire.

His visits certainly had an impact on at least one little girl whose house caught fire after one of his visits. This little girl used the fire safety tips she learned from Brian to help her babysitter evacuate the home safely.

Brian's commitment to the community is truly remarkable. Not only did Brian hold those regular volunteer fire safety talks on a regular basis; he also conducted them on his day off. Brian has been quoted as saying that if you help just one person, doing these things, it's worth it.

These are words of a truly great person with a great sense of community. I ask all members of the House to join with me in congratulating Brian Robinson for helping to keep the children of my riding out of harm's way. Congratulations, Brian.

EDUCATION REFORM

Mr James J. Bradley (St Catharines): If anyone had any doubt about who really runs the Conservative government of Mike Harris, they should read the article

by Guy Crittenden in the November 1 edition of the *Globe and Mail*. It's entitled "The Harris Kremlin." It spells out:

"Mr Harris has played fast and loose with the democratic process. He has surrounded himself with a cadre of young, fervently ideological advisers to do his bidding. Grass-roots supporters who thought the party would emphasize democratic debate, plebiscites and local decision-making have been shocked. In the Harris Kremlin, power flows from the centre.... ministers are often kept in the dark, making them little more than salespeople for initiatives cobbled together in the Premier's office."

Voters who thought they elected members of the Legislature to reflect their views have been disillusioned to find that the whiz kids, and not their elected representatives, call the tune in Mike Harris's Ontario.

According to a *Southam News* story by Carolyn Abraham and Richard Brennan, "Education Minister Dave Johnson, who has been the government's prominent public face during the strike affecting 2.1 million students, is receiving many of his marching orders from the so-called whiz kids in the Premier's office.... Three weeks ago, the Premier rallied his 1995 election team to devise a strategy as he anticipated a full war with the teachers."

Here's what they advised him. They told the Premier he should — and I quote; not my words, their words — "Kick the teachers' asses." Indeed, this is democracy in Ontario?

Ms Frances Lankin (Beaches-Woodbine): The last few weeks have been a remarkable time in the history of Ontario: that 126,000 teachers of this province would engage in a political protest, in an action of civil disobedience to protest the government's actions. People who are normally in the classroom, focused on educating our children, found themselves pushed to the wall by a plan by this government, and they responded.

Since the teachers have gone back in — and we are thankful for the education job they did: the education of the public with respect to Bill 160 — parents have taken up the protest. My colleagues and I have boxes like this today. There are hundreds and hundreds of letters from parents in Ontario to Tory backbenchers, asking them to please not vote in favour of Bill 160 or to absent themselves when the vote is taking place, to listen to their constituents. There are also hundreds of letters coming in from principals and vice-principals to our leader's office asking the government to withdraw the amendments.

People want an opportunity to sit down and go through public hearings where you're really listening. You've not listened to the people of Ontario. The majority, 60%, oppose you. It is time, in a democracy, for you to begin to listen.

SHEENA'S PLACE

Mr Jim Brown (Scarborough West): I rise today in the Legislature to call the attention of all members of this Legislature to Sheena's Place in Toronto. Sheena's Place is a community-based centre which offers services to

people suffering from eating disorders. Sheena's Place was founded in response to the 1993 death of Sheena Carpenter, a young woman suffering from anorexia nervosa.

There are currently 70,000 people in Ontario suffering from eating disorders. Most of the afflicted are women. Studies show that 15% of those diagnosed with anorexia or bulimia will die from causes directly related to the illness. Maintaining a strong sense of self-esteem in the face of day-to-day challenges is often overwhelming for those who are afflicted by eating disorders. How tragic that we are suffering an epidemic brought on by an unrealistic cultural image of what people should look like.

Sheena's Place offers support, information and services to those living with eating disorders. In addition, the facility also provides information and support to parents, siblings, friends, spouses, partners, teachers and other care providers. I would like to ask all the members of this Legislature to support this excellent organization and the vital services they provide.

EDUCATION REFORM

Mr Pat Hoy (Essex-Kent): Over the last three weeks my offices have been inundated with messages from parents, students and concerned taxpayers who are furious that the government of Mike Harris has trampled their democratic rights with Bill 160. They have been further frustrated that individual Conservative caucus members are not available on e-mail and that the faxes have been shut off in Conservative offices across Ontario.

In my replies to these taxpayers, I have pledged to deliver a copy of each and every one of their communications to all the members opposite. I have here packages for Mr Johnson, Mr Harris and Mr Carroll that I am sending across. The rest will be delivered by attendants to every government office. Further, I attended a meeting yesterday of 400 concerned citizens who have signed a petition demanding that the government withdraw Bill 160.

Premier, I want you to know that democracy is alive and well in Chatham-Kent and Essex. I send across the petition from Concerned Citizens for Quality Education, who want you to know that democracy does not end at the ballot box, it begins there. As well, I have a petition from A.Y. Jackson school.

1420

Mr Gilles Bisson (Cochrane South): It's interesting that government members come into this House after a five-week break, when we know people in their constituencies have been talking to them about Bill 160 and how they're opposed, and make statements about everything else other than Bill 160.

I got a letter, unfortunately, from a group of parents, signed by Lynne Dénomée, who is one of the members of the parents' council at école Saint-Gerard in Timmins. I want to let you know that in this letter, dated November 13, addressed to Réal Laurin, who's the principal at that school, they inform the principal that the entire parents' council was resigning from their positions. Why? Because

this parents' council has understood very well what the government was doing with Bill 160 and couldn't understand why a government that says it's intent on trying to make a system of education better would not take the time to speak to parents' councils or speak to parents in general about what goes on in education. It's most unfortunate that they've been put in this position.

I call on the government once again to try to do what is right: to slow down when it comes to Bill 160, to talk to the parents and the kids involved, the very people who are the ones who are going to be the victims of this bill, so that if you're going to do this, at least you take the time to listen to what parents and kids have to say and people don't have to take steps such as we're seeing here where entire parents' councils are resigning their positions because of what this government is doing. Shame on the government.

TIM FARMILLO AND CHRIS DRAGERT

Mr E.J. Douglas Rollins (Quinte): It is my pleasure today to rise in the House to congratulate two bright young constituents of mine, Tim Farmillo and Chris Dragert.

These two exceptional students from Centennial Secondary School in Belleville are among 28 students from across Ontario who this semester will pursue their study of science using the unique facilities of the Ontario Science Centre.

A teacher, elaborating on the uniqueness of this school, said, "Having use of the equipment at the science centre to teach science makes me feel like a kid in a toy shop."

Chris and Tim will have use of such facilities as the holography lab, biotechnology lab and rotating room. As well, they will act as hosts, helping other students to find science as interesting as they do.

In operation since 1982, the school currently offers the following five OAC courses: science in society, biology, calculus, chemistry and physics. The school touts its small and informal classes, its experienced and imaginative teachers and stimulating environment. That imagination is evident in such demonstrations as the use of liquid nitrogen to make ice cream.

I want to commend both Chris and Tim for their initiative and hope that they will have further success in improving their education.

LEGISLATIVE PAGES

The Speaker (Hon Chris Stockwell): I would like to take this opportunity in welcoming the 13th group of pages to serve in this 36th Parliament: Gregory Agate from Lincoln; Peter Ashton from Parkdale; Katherine Aukema from Brampton North; Robert Brown from Perth; Kelly Chapeskie from S-D-G & East Grenville; Graeme Crawford from Peterborough; Patricia Dickenson from Lambton; Kimberly Farrell from Norfolk; Daniel Gooch from Durham West; Melissa-Anne Lackan from Scarborough Centre; Sandra Lamon from Algoma; Kyle

Marshall from Burlington South; Mora Martin from Sault Ste Marie; Ross Moncur from Essex South; David Morley from Durham Centre; Laura Poel from Oxford; Brendan Smith from Riverdale; Matthew Smith from York East; Meghan Summers from Quinte; and Alberto White from Niagara South. Welcome.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Ms Annamarie Castrilli (Downsview): I beg leave to present a report from the standing committee on social development and move its adoption.

Clerk at the Table (Mr Todd Decker): Your committee begs to report the following bill, as amended:

Bill 142, An Act to revise the law related to Social Assistance by enacting the Ontario Works Act and the Ontario Disability Support Program Act, by repealing the Family Benefits Act, the Vocational Rehabilitation Services Act and the General Welfare Assistance Act and by amending several other Statutes.

The Speaker (Hon Chris Stockwell): Shall the report be received and adopted?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Pursuant to the order of the House dated September 16, 1997, the bill is ordered for third reading.

STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Mr Wayne Wettlaufer (Kitchener): I beg leave to present a report from the standing committee on finance and economic affairs and move its adoption.

Clerk at the Table (Mr Todd Decker): Your committee begs to report the following bill, as amended:

Bill 149, An Act to continue the reforms begun by the Fair Municipal Finance Act, 1997 and to make other amendments respecting the financing of local governments.

The Speaker (Hon Chris Stockwell): Shall the report be received and adopted?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Pursuant to the order of the House dated Thursday, 2 October, 1997, the bill is therefore ordered for third reading.

INTRODUCTION OF BILLS

FAIRNESS FOR PARENTS AND EMPLOYEES ACT (TEACHERS' WITHDRAWAL OF SERVICES), 1997

LOI DE 1997 SUR LE TRAITEMENT ÉQUITABLE DES PARENTS ET DES EMPLOYÉS (RETRAIT DE SERVICES PAR LES ENSEIGNANTS)

Mr Flaherty moved first reading of the following bill:

Bill 161, An Act to provide fairness for parents and employees by providing remedies relating to the province-wide withdrawal of services by teachers between October 27 and November 7, 1997 and to make a complementary amendment to the Education Act / Projet de loi 161, Loi favorisant le traitement équitable des parents et des employés en prévoyant des recours à la suite du retrait de services par les enseignants à l'échelle de la province entre le 27 octobre et le 7 novembre 1997 et apportant une modification complémentaire à la Loi sur l'éducation.

The Speaker (Hon Chris Stockwell): Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1430 to 1437.

The Speaker: Order. All those in favour, please rise one at a time to be recognized by the Clerk.

Ayes

Amott, Ted	Hardeman, Ernie	Ouellette, Jerry J.
Baird, John R.	Hamick, Charles	Parker, John L.
Barrett, Toby	Harris, Michael D.	Pettit, Trevor
Bassett, Isabel	Hastings, John	Preston, Peter
Beaubien, Marcel	Hodgson, Chris	Rollins, E.J. Douglas
Boushy, Dave	Hudak, Tim	Ross, Lillian
Brown, Jim	Jackson, Cameron	Runciman, Robert W.
Carr, Gary	Johns, Helen	Sampson, Rob
Carroll, Jack	Johnson, Bert	Saunderson, William
Chudleigh, Ted	Johnson, David	Shea, Derwyn
Clement, Tony	Johnson, Ron	Smith, Bruce
Cunningham, Dianne	Jordan, W. Leo	Snobelen, John
Danford, Harry	Kells, Morley	Spina, Joseph
DeFaria, Carl	Klees, Frank	Sterling, Norman W.
Doyle, Ed	Leach, Al	Stewart, R. Gary
Ecker, Janet	Leadston, Gary L.	Tilson, David
Elliott, Brenda	Mariand, Margaret	Tsubouchi, David H.
Fisher, Barbara	Martiniuk, Gerry	Tumbull, David
Flaherty, Jim	Maves, Bart	Vankoughnet, Bill
Ford, Douglas B.	McLean, Allan K.	Villeneuve, Noble
Fox, Gary	Munro, Julia	Wettlaufer, Wayne
Froese, Tom	Murdoch, Bill	Wilson, Jim
Galt, Doug	Mushinski, Marilyn	Witmer, Elizabeth
Grimmett, Bill	Newman, Dan	Wood, Bob
Guzzo, Garry J.	O'Toole, John	Young, Terence H.

The Speaker: All those opposed, please rise one at a time to be recognized by the Clerk.

Nays

Agostino, Dominic	Grandmaître, Bernard	McLeod, Lyn
Bisson, Gilles	Gravelle, Michael	Miclash, Frank
Boyd, Marion	Hampton, Howard	Morin, Gilles E.
Bradley, James J.	Hoy, Pat	North, Peter
Caplan, David	Kennedy, Gerard	Patten, Richard
Castrilli, Annamarie	Kormos, Peter	Phillips, Gerry
Christopherson, David	Kwinter, Monte	Pouliot, Gilles
Churley, Marilyn	Lankin, Frances	Pupatello, Sandra
Cleary, John C.	Laughren, Floyd	Ramsay, David
Cordiano, Joseph	Lessard, Wayne	Ruprecht, Tony
Crozier, Bruce	Marchese, Rosario	Silipo, Tony
Curling, Alvin	Martel, Shelley	Wildman, Bud
Duncan, Dwight	Martin, Tony	Wood, Len
Gerretsen, John	McGuinty, Dalton	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 75; the nays are 41.

The Speaker: I declare the motion carried. Minister, any comments?

Hon Mr Flaherty: I propose to wait until ministry statements.

VETERANS' MEMORIAL PARKWAY ACT, 1997

LOI DE 1997 SUR LA PROMENADE COMMÉMORATIVE DES ANCIENS COMBATANTS

Mr Baird moved first reading of the following bill:

Bill 162, An Act to amend the Public Transportation and Highway Improvement Act to name Highway 416 Veterans' Memorial Parkway / Projet de loi 162, Loi modifiant la Loi sur l'aménagement des voies publiques et des transports en commun pour nommer la voie publique 416 Promenade commémorative des anciens combattants.

The Speaker (Hon Chris Stockwell): Is it the pleasure of the House that the motion carry? Carried.

Mr Bud Wildman (Algoma): On a point of order, Mr Speaker: I note that the member for Simcoe East is wearing the same tie as I. Is that a political statement, in your view?

The Speaker (Hon Chris Stockwell): Member for Algoma, I know the coalition for Biway shoppers will be pleased.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): I move that notwithstanding standing order 95(g), the requirement for notice be waived with respect to ballot items 107 and 108; and that the House will commence at 11 am on Thursday, November 20, 1997, to discuss ballot item number 105 only.

The Speaker (Hon Chris Stockwell): Is it the pleasure of the House the motion carry? Carried.

STATEMENTS BY THE MINISTRY AND RESPONSES

POST-TEACHERS' STRIKE LEGISLATION

Hon Jim Flaherty (Minister of Labour): Just a few minutes ago I introduced the Fairness for Parents and Employees Act in the Legislature. This proposed legislation would —

Mr Bud Wildman (Algoma): If you were really interested in fairness you would do something about Bill 160.

Interjections.

The Speaker (Hon Chris Stockwell): Minister.

Hon Mr Flaherty: This proposed legislation would, first of all, provide help to working families who were adversely affected by the province-wide strike. Second, it would guarantee no workplace repercussions for those parents and guardians who missed work to care for their children during the teachers' strike. Third, it would protect teachers who chose to stay in the classroom.

Before I continue with some of the details of our proposed legislation, I would like to thank our business and employer community for their positive response to my request for fairness and flexibility in assisting their employees to cope with the difficulties caused by the teachers' strike. I am proud that both the business community and working parents and guardians demonstrated flexibility and good sense during this difficult period.

The legislation that I introduced fulfils the promises made by the government to the people of Ontario during the teachers' strike. Our proposed legislation would first provide for a payment of up \$40 per family for each day that an eligible child was unable to attend school because of the strike.

For the purposes of this legislation, "eligible child" refers to school children 13 years of age or younger, or children in child care facilities or day nurseries located in schools that were closed due to the teachers' action, or special needs students in secondary schools. The money for these payments would come from the savings school boards have accumulated as a result of not having to pay striking teachers.

Second, the legislation would ensure that employees are protected from dismissal or discipline if they couldn't work because of the additional child care responsibilities during the teachers' strike.

Finally, our proposed legislation would prohibit teachers' unions from taking reprisals against any of their members —

Mr Wildman: Shame on you. You're the Minister of Labour. What's the matter with you? There was no intimidation.

The Speaker: Member for Algoma, please come to order.

Interjections.

The Speaker: Minister.

Hon Mr Flaherty: Finally, our proposed legislation would prohibit teachers' unions from taking reprisals against any of their members who refused to participate in

this strike or who counselled or assisted others in not participating in the strike.

Our government is determined to protect the rights and interests of children, families and employees who were adversely affected by the teachers' action. We are also determined to protect teachers who chose to stay in the classroom. We made specific promises and we are keeping them.

The legislation I introduced today is important legislation which, if passed by the House, will provide fairness to Ontario families. It will also provide some remedies for the difficulties and expenses that many parents and guardians had to face because of the teachers' strike. I urge all members to fully support our legislation and to give it speedy passage.

1450

Mr Dalton McGuinty (Leader of the Opposition):

We are still in the midst of the single greatest education crisis in the history of this magnificent province, and this is the government's response. What they're trying to do — and this is perfectly transparent — is a cynical attempt to buy favour with parents, who are extremely concerned about what's happening to education in Ontario. It's nothing more than that. Apparently they're going to come up with \$40 a day for babysitting costs in order to reimburse parents.

These are the questions parents are asking: How are they going to reimburse their kids for the loss of special education services since this government has been making cuts to those programs? How are they going to reimburse the 60,000 Ontario four-year-olds who have been deprived of junior kindergarten since this government stepped into power? How are they going to reimburse kids who have been deprived of the services of speech pathologists, school psychologists, librarians, ESL teachers? How are they going to help kids who are in those classrooms today where they don't even have books sufficient to meet their needs?

This government picked the fight. It picked another fight in a long series of fights. It started off by fighting with the public service, then it fought with the doctors, the nurses, the police and the firefighters. They've been fighting with our farmers, environmentalists, every single municipal representative in the province. But you know what? They lost this fight. They started out fighting with the teachers, but they didn't realize that they soon very quickly took on parents, students, trustees and every friend of public education in Ontario.

Today, rather than this sop to parents and effort to buy favour with 40 bucks a day, we should have had the Premier stand up in this House and say he was withdrawing Bill 160. Everybody now understands what Bill 160 is all about. It's about a power grab, and it's about a money grab. It's as simple as that.

This government has already cut close to \$1 billion from public education in Ontario. Kids are taking it on the chin as a result of that, in special education, junior kindergarten and adult education.

This government, to its dismay, had to contend with a leak during the course of this crisis when the truth came out and we quickly discovered that what this was really all about was exactly what we'd been maintaining it was all about. It's about stealing another \$700 million from public education. Parents right across Ontario now recognize that.

I still don't think Tory backbenchers understand the nature of this paragraph. We are going to run your schools from downtown Toronto. Do you really understand that? Queen's Park is now going to run your schools in your ridings. Is that what they elected you to do? You show me where that is in the Common Sense Revolution. You go back home and talk to the folks who put you here in the first place and ask them if that's in keeping with their wishes. Is that what they desire you to do here in this place, to take control of public education?

You are effectively emasculating every trustee in the province. School boards are going to have next-to-little power. You, this government — and in fact, to be fair to the backbenchers, it's not even you who are going to get this power. It's going to come from within the centre. Read that article that was made reference to earlier by my colleague, Jim Bradley. It talks about the Harris Kremlin. That's what this is all about. You are being emasculated as well.

This is all about taking control and it's not going to be elected officials who are going to exercise that control. It's going to be unelected people — unelected, unaccountable. That is not in keeping with the history of this province, it's not in keeping with Conservatism in this province and it's not in keeping with the wishes of the people of this province. I undertake, here and now, to revoke Bill 160 and to put into place education reform that truly meets the needs of our students.

Mr Howard Hampton (Rainy River): I want to recount just a bit of recent history to this government. This government doesn't seem to understand that 126,000 teachers did not leave their classrooms and go out on a two-week protest period because that's what they wanted to do. Talk to any teacher around this province, and they want to be in their classroom. They want to be teaching children. They want to be working with children. What you've done is you have left teachers, you have left students, you have left parents with no options.

You already have taken, on an annualized basis, \$800 million out of our elementary and secondary schools. Despite your attempts to stay away from the issue, to avoid telling the truth over the last month, Bill 160 and your funding formula is all about taking another \$667 million away from our children, out of our elementary and secondary classrooms.

When you put in this bill this nonsense about disciplining teachers, about intimidating teachers, my God, don't try to rewrite history. Teachers went out because they believed they must go out to protect public education, to protect it from you Neanderthals. That's why they went out and that's the only reason. There was no intimidation. There was no effort by anyone to say to teachers, "You

must go out." They made a decision of conscience. They made a decision of conscience against a government that has no conscience, against a government that tries to put a dollar value on everything.

I also want to point out something else that is a complete fallacy here. If you think you can now, after insulting teachers, after insulting parents, after insulting boards of education, buy support with a measly \$40 a day, it indicates just how awfully misguided you are, how totally misguided you are.

1500

Let's review something else. You have spent, by objective estimates, \$3 million over the last three weeks on your objectionable and misleading propaganda campaign. People couldn't watch Hockey Night in Canada on Saturday night, they couldn't watch the Grey Cup game without —

The Speaker: You must withdraw "misleading propaganda," please.

Mr Hampton: What was it then? It is a propaganda campaign, Speaker. No one doubts that.

The Speaker: I would ask that you withdraw "misleading," then.

Mr Hampton: I will withdraw, for the time, "misleading." We'll investigate that part later.

The Speaker: I've been down this road before. Please just withdraw "misleading."

Mr Hampton: Other people will decide whether it's misleading. I withdraw that part.

Your propaganda campaign, which cost —

The Speaker: I'm sorry, but this is your last chance. Withdraw "misleading," please. I'm not into an argument. It's very simple, and it's a rule that's fast. Just please withdraw "misleading."

Mr Hampton: Mr Speaker, I already withdrew.

Your propaganda campaign, which cost between \$2 million and \$3 million out there — that's what you spent. Let's just look at the objective evidence. You've taken \$800 million from education already, and it's in the deputy minister's contract, which I revealed, that you're going to take another \$667 million from elementary and secondary education. Yet you think nothing of spending \$3 million on your propaganda campaign or of spending that amount of money trying to brainwash people about what this is really about.

This is about two things: This is about taking money from education so you can give more money to your wealthy friends via your tax cut, and this is about establishing top-down, centralized, almost Kremlin-like control over education in this province. You know what's so amazing about this? Eastern Europe recognized that top-down control doesn't work. They recognized that it stifles initiative, stifles creativity, stifles spontaneity. But what is the Harris Conservative government trying to do to education in Ontario? Trying to establish top-down, command-like control over our schools.

If the truth be known, this bill should be entitled "An Act by a desperate government to buy support from

parents after they've blown everything that education stands for."

The Speaker: It's time for oral questions.

Ms Marilyn Churley (Riverdale): On a point of privilege, Mr Speaker: November is Wife Assault Prevention Month, and traditionally the minister responsible for women's issues leads the House in all-party statements on it. That not being done, I would ask for unanimous consent that statements be made on November being Wife Assault Prevention Month.

The Speaker: Agreed? No.

Interjections.

Hon Dianne Cunningham (Minister of Intergovernmental Affairs, minister responsible for women's issues): On a point of order, Mr Speaker: I don't know who you heard, but the point of the matter is that in fairness to my two colleagues —

Interjections.

The Speaker: Member for Hamilton East, I appreciate your help. It would be more helpful if I could hear what the minister is saying.

Mr Dominic Agostino (Hamilton East): I'm just trying to help.

The Speaker: I'm sure you are.

Hon Mrs Cunningham: In fairness to my two colleagues, I just heard now. I'd like to hear what was asked, if you don't mind.

Interjections.

Hon Mrs Cunningham: I'm away tomorrow. When does she want it?

The Speaker: You know what? With great respect, I put the question. It was for Wife Assault Prevention Month, seeking unanimous agreement to make statements today. I asked for consent; I heard a "no." That's all there is to it. It's time for oral questions.

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): On a point of privilege, Mr Speaker.

The Speaker: Can you stop the clock, please?

Hon Mr Sterling: At the House leaders' meeting this morning, we discussed this particular matter. I was informed that they were going to ask for unanimous consent tomorrow.

The Speaker: I don't want to get into this any further. I asked for it; it wasn't there. If the House leaders want to get together and discuss it tonight, tomorrow or the next day, it's up to you. Right now we're going to oral questions.

Interjection.

The Speaker: Minister, I appreciate that. Thank you. It's time for oral questions.

ORAL QUESTIONS

EDUCATION REFORM

Mr Dalton McGuinty (Leader of the Opposition): My first question is for the Premier. You will recall that at

one time you said that Bill 160 was not about money, that it wasn't about any particular financial targets and that it was about improving education. Then some time during the past few weeks, of course, the truth came out. We now understand only too well that this is an exercise to, among other things, take \$700 million more out of public education in Ontario.

You had a fight with the teachers. The teachers won. The public has sided with the teachers. I'm wondering, will you now listen to that huge protest, that huge inferno that has enveloped our province, and withdraw Bill 160?

Hon Michael D. Harris (Premier): I'm disappointed actually to hear this member, somebody who just a few years ago brought in a bill to limit teachers' right to strike, somebody who just a few years ago made statements that this is wrong, a bill to severely limit the right to strike, the time and when they could strike. I'm very disappointed actually that this member — on the picket line, encouraging the teachers to take the strike into a third week in fact — now raises this issue.

The bill before the Legislature has been brought forward after about a year and a half of negotiations with trustees, with teachers, with many involved, and it is designed to protect classroom education.

The easiest thing in the world to do is cut funding. You did that; the NDP did that. The challenge is, regardless of what the level of funding is, how do you protect classroom education?

The Speaker (Hon Chris Stockwell): Supplementary.

Mr McGuinty: I can tell you, Speaker, it's certainly a change to see the Premier in person, because for the last three weeks he has disappeared completely. I thought we had a virtual Premier for some time there, a two-dimensional guy who appeared on TV complements of taxpayers' money. He never had the guts once to attend any of the education rallies. He didn't have the guts to go into any scrums and explain where he was coming from, and he didn't assume the proper responsibility as Premier of this province to do everything he possibly could to bring this education crisis to a halt. Where the hell has this guy been?

If he's not going to listen to the teachers, he's not going to listen to the trustees, he's not going to listen to parents and he's not going to listen to students, then maybe he should start listening to his own backbenchers.

Tony Skarica said: "We've had enough public confrontations. Maybe it's time to slow down a bit." Solid advice, Premier.

Bill Murdoch says, "I for one would like to know more about this \$667 million." Premier, if you're not going to listen to the public, those —

The Speaker: Thank you, leader of the official opposition. Premier.

Hon Mr Harris: Of course I always listen to all members, my own backbench members, and indeed I listen to members of the public, to teachers —

Interjections.

The Speaker: Order. Premier.

Hon Mr Harris: In addition, I also listen to members of the opposition. Indeed, I want to say I take very seriously the comments of the leader of the Liberal Party, October 29, 1997, on Humble and Fred: "Everybody, I think, believes you can find room for improvement in education. You can probably find more savings." Thank you very much, Mr McGuinty. We are looking at doing just that.

1510

Here's what you said, member for Ottawa South, on April 24, 1992: "Somewhere along the line, in attempting to ensure that teachers and boards have full rights to negotiate wages and benefits, the system has failed the very group for whose best interests our education system has supposedly been created." I might say we listened very carefully to you.

Finally, you said this on Focus Ontario: "We don't have any specific policies right now." Well, we do. We are fixing the problems.

Mr McGuinty: You've got specific policies, all right; there's no doubt about that. The only problem is, they're the wrong ones.

Premier, I want you to do something that you don't do a lot of. I want you to stop and think about this for a moment.

Interjections.

The Speaker: Order. I would ask the House to come to order, both on the government side and the opposition side. It's becoming very difficult to hear the questions and answers.

Mr McGuinty: We had 126,000 teachers take to the streets, unprecedented in the history of this province, in fact in the history of North America; 2.1 million students were out of school for two weeks. Most remarkable of all, their parents supported their teachers. I want you to think about how truly amazing this is.

At the outset, public opinion was not on the side of the teachers, but as the public became better educated as to what the facts were, they clearly decided that the teachers were in the right, the parents were in the right, students were in the right and you were in the wrong.

Premier, in the light of all of that, what is it going to take, what is it really going to take, to make you stop and listen and do the right thing and withdraw Bill 160?

Hon Mr Harris: I would like to say we always listen and we listen very carefully. On April 24, 1992 — that means you've had over five years since you made this statement to develop a policy or a response — here's what you said: "Somewhere along the line, in attempting to ensure that teachers and boards have full rights to negotiate wages and benefits, the system has failed the very group for whose best interests our education system has supposedly been created." Over five years ago you made that statement. Five years later you said, "We don't have any specific" —

Interjections.

The Speaker: Order. Members for Windsor-Sandwich and Hamilton East, I'm not going to warn you again.

Come to order, please. Also the member for Ottawa-Rideau.

Hon Mr Harris: Five years later you said, "We don't have any specific policies."

I'm prepared to listen. I would ask you, if you have something new, other than inciting an illegal strike to carry on into the third and fourth week, if you have something new to add to this debate, after having five years to think about it, I'd be glad to hear it.

EDUCATION FINANCING

Mr Dalton McGuinty (Leader of the Opposition): To the Premier: One of the biggest stumbling blocks in the way of the public supporting, in the way of everybody supporting, your Bill 160 is the \$700-million grab that you're about to make. You can alleviate all that. Stand up right now, Premier, and assure us that you are not about to remove one further cent from public education, and that if you find any savings, you will then redeploy those so they best meet the needs of our students. Promise right now that you're not about to take any more money out of public education in Ontario.

Hon Michael D. Harris (Premier): I know the minister would be happy to respond.

Hon David Johnson (Minister of Education and Training): Bill 160 and the education program of this government and this ministry is about three things: It's about quality, it's about accountability and it's about efficiency.

Through the provisions of this bill we will ensure that class sizes don't increase, we will ensure that our students get the proper instructional time, but at the same time there is an efficiency that is expected through the education system, through all the ministries, through the government of Ontario. We will ensure that every nickel that has to be spent on education is spent to ensure that quality. But on behalf of the taxpayers we need to ensure the financial stability of Ontario, and if there are savings that are not needed for the quality —

The Speaker (Hon Chris Stockwell): Thank you. Supplementary.

Mr McGuinty: Nobody buys that, Minister. Everybody understands that this is about money and it's about power, nothing more than that.

One of the things that was disclosed during the course of this education crisis was the performance contract for Veronica Lacey, the deputy minister. It clearly provides in this that there is a plan to remove \$667 million for the 1998-99 year. Given that everybody now understands what's in this and given that before that was released, everybody on that side of the House was saying this is not about taking more money out of the system, what I want to know is, is this provision still in place? Is Veronica Lacey now still bound by the terms of this performance contract to find \$667 million and to remove that from public education?

Hon David Johnson: The contract that's referred to is a draft contract that was at one point in time —

Interjections.

The Speaker: Minister.

Hon David Johnson: I guess spending controls and efficiency and ensuring best value for the taxpayer don't come naturally to the Liberal Party. This is a party that increased the spending in Ontario by \$10 billion in three years.

1520

We've made it clear that the education program, Bill 160, is about quality, accountability and efficiency. At one point in time there was an estimate that the kind of efficiencies that could be achieved throughout the education system would be about in the \$600-million-to-\$700-million range, but that will be the topic of the budget for each and every year, for the estimates process. What we will actually spend in the education system in 1998-99 will depend on the estimates for that particular year. We will ensure that every nickel that's needed to be spent to ensure a quality program is in fact spent.

Mr McGuinty: We have just received some very interesting news. Apparently this is only a draft contract. Now, let's just put that against what we heard the Premier say a couple of weeks ago, that he felt they could find another 4% to 5% in savings in public education. That's somewhere between \$500 million and \$700 million.

On the other hand, we have the Minister of Education saying not to worry, that this \$667-million figure is only found within a draft contract.

Minister, I want you to do a couple of things now. First of all, I want to know who is right, you or the Premier. Second, if there is another contract that's now in force, I want you to table that in the House. Will you do that, Minister?

Hon David Johnson: I think the member opposite knows that the performance contracts are personal information that are not to be tabled in the House. But I would ask, is there any taxpayer in Ontario and is there any member in this House who feels that there isn't some room for efficiency within the education system, that there isn't some waste or duplication within the education system, that the government and the Ministry of Education shouldn't look as hard as they can to find that waste and duplication? That's exactly what we intend to do. I would say that it's quite conceivable that this government could find efficiencies in the 4%-to-5% range. I think that's a pretty good target. But at the end of the day, I guarantee that this government will spend exactly what it takes to ensure a high-quality education program for the students of Ontario.

The Speaker: New question, third party. Leader of the third party.

Mr Howard Hampton (Rainy River): My first question is for the Premier. Premier, we've just come through a two-week teachers' protest, which is unprecedented, as we all know. During the first week of that protest, you and your ministers insisted it wasn't about money. Then, when I leaked this copy of the deputy minister's performance contract, you started to acknowledge that it was about

money. You said that you could, you felt, take another \$700 million out of the education system.

Premier, why didn't you tell the parents of this province that fact right up front? Why didn't you tell them right up front that this was about taking another \$700 million out of the system? Were you afraid to tell them the truth?

Hon Mr Harris: I think we were quite clear in the Common Sense Revolution and the campaign that we felt, on average, about four pennies of every dollar spent in education was being wasted with duplication and bureaucracy.

We made a second commitment — the most important one — that whatever savings might be able to be achieved, whatever waste could be found, must not affect the quality of education in the classroom in a negative way.

Bill 160 is the classroom protection act, to ensure that whatever the level of —

Interruption.

The Speaker: Order. I caution the gallery that it's out of order to speak or applaud. Please don't do that.

Mr Hampton: The boards of education across this province can show from their own budget figures that you've already taken \$800 million out of the system. That's why junior kindergarten is being affected; that's why adult education is being affected; that's why special education is being affected; that's why you can go into classroom after classroom and find no textbooks.

Premier, the point is this, and I come back to it: You denied for the first week that this was about taking money out. Then, when you were confronted with the deputy minister's contract, you switched your story and you admitted that this was about taking \$700 million. You didn't even have the decency to tell your own caucus. In the Toronto Star, one of your caucus colleagues is quoted as saying: "None of us knew about it. We were totally out of the loop. We were thrust into the war without any weapons." Premier, why wouldn't you even tell your own caucus members? Were you afraid they might tell the truth to the public?

Hon Mr Harris: The only actual cut to education funding came with the NDP in 1993 to 1995, \$571 million. So you're pulling figures out of the air that I have no knowledge of, nor does my caucus, nor does the minister. The records and the audited statements of the school boards and the public records from the auditor and the audited statements will show that we are actually spending a little more money on education now than when we took office.

Having said that —

Interjections.

The Speaker: Order.

Hon Mr Harris: Having said that — and the audited statements will verify those facts — what I want to say is I understand why the opposition wants to talk about money, because they're the ones who were a part, over a 10-year period, of this slow decline in the quality of education in this province. It is quality of education, improving the standards, improving results, testing and

giving our kids a head start and an opportunity — that's how we measure success, not the way you measured failure.

Mr Hampton: This is a Premier who when he went to Europe a year and a half ago said to everyone in Europe: "Come to Ontario, invest. We've got a wonderful education system, a well-trained and well-educated workforce." This is a government where the Deputy Premier goes to Harvard University and tells everyone at Harvard University, "The key to Ontario's success is a good education system, a well-trained workforce."

Now the Premier wants to pretend that he's in a fairy-tale and that was all false. I suppose according to you, Premier, the bogeyman stole special education, the bogeyman stole adult education, the bogeyman came in the night and took away junior kindergarten and it's the bogeyman who has been taking the textbooks out of the classroom.

Premier, I've got a suggestion for you. This is the performance contract: Rip it up. Take Bill 160 and rip it up. Take your cuts and rip them up too. Will you do that?

Hon Mr Harris: I want to assure the leader of the New Democratic Party, who got outpicked by the leader of the Liberal Party in this last dispute, of this: that we take our responsibility very seriously to bring long-needed reforms to the education system, reforms that were recommended by the royal commission put by your party, reforms that were recommended by the former New Democratic Party Minister of Education, reforms that are required to improve the quality of education in this province. Those are the reforms that this caucus and this cabinet and this party have had the courage to make in the face of a lot of vested interests, in the face of a lot of rhetoric, in the face of a lot of misinformation. We have finally had the courage to stand up and say, "Our kids come first."

1530

The Speaker: Member for Hamilton Centre and member for Cochrane North, you have to take those green ribbons off, and I see the member for Fort York and the member for Windsor-Walkerville. Last warning, member for Cochrane North. Then I have no choice but to name the member for Cochrane North.

Mr Len Wood was escorted from the chamber.

The Speaker: Member for Hamilton Centre, you must take the green ribbon off.

Mr David Christopherson (Hamilton Centre): I'm wearing it in support of the teachers and parents and the education system.

The Speaker: I name the member for Hamilton Centre, Mr Christopherson.

Mr Christopherson was escorted from the chamber.

The Speaker: The member for Fort York.

Mr Rosario Marchese (Fort York): Mr Speaker, Mike Harris has got a lot of courage —

The Speaker: Then I name the member for Fort York, Mr Marchese.

Mr Marchese was escorted from the chamber.

The Speaker: Member for Windsor-Riverside, I ask you to remove the green ribbon.

Mr Wayne Lessard (Windsor-Riverside): Mr Speaker, I am wearing this ribbon in opposition to the —

The Speaker: Then I name the member for Windsor-Riverside.

Mr Lessard was escorted from the chamber.

The Speaker: New question, leader of the third party.

EDUCATION REFORM

Mr Howard Hampton (Rainy River): My next question is also for the Premier and it follows on the remarks that he just made. Premier, teachers are not opposed to education change. Teachers do not oppose a new report card; they support it. Teachers do not oppose a new curriculum; they have supported different changes in curriculum over the last 20 years, many of them introduced by previous Conservative governments. Teachers do not oppose use of educational testing so long as it's used in the right way. What they object to, Premier, is you trying to say that your bill, Bill 160, is about quality education. If it is about quality education, can you explain to me why the words "quality of education" don't appear anywhere in the actual text of the bill? Can you explain that please?

Hon Michael D. Harris (Premier): I know the Minister of Education and Training can.

Hon David Johnson (Minister of Education and Training): Does it not enhance the quality of education that we should ensure that average class sizes should not go up? Does it not enhance the quality of education that we should ensure that our students have the same number of instructional days as students in other provinces? Does it not enhance the quality of education that professional people with good qualifications can come in and complement the teachers and add, perhaps in the computer field or in early childhood, extra quality and experience in the classroom? Are these not enhancements to the quality?

These are some of the provisions along with, I might say, involving the parents. Certainly through the parent councils, involving the parents will enhance the quality of education. That's what this bill is about in addition to achieving efficiency. That's what this bill is about and I think it will improve the quality of education in the Ontario.

Mr Hampton: I asked the Premier to defend his previous statements and it appears that he is not capable of defending them. He in fact tried to duck the question. My question was very specific: If this is about quality of education, why do the words "quality of education" not appear anywhere in the text of the bill? Why does the government have to rely on weasel words like "average class sizes," when anyone knows that those words will permit class sizes to go to 35 or higher, provided that there is something to average them down? Why does the government continue to rely on that?

Perhaps I should put it another way: You can't tell me why the words "quality of education" don't appear in the

bill. Can you tell me why the word "money" appears 69 times in the bill?

Hon David Johnson: I have a copy of the bill right here and I'll just read the title: "An Act to reform the education system, protect classroom funding, and enhance accountability, and make other improvements consistent" —

Interjections.

Hon David Johnson: Perhaps the leader would be interested in this — "with the Government's education quality agenda, including improved student achievement and regulated class size." This bill, in terms of protecting class size, instructional time and a number of other issues is indeed about quality. It is also about accountability, and yes, it's also about efficiency.

Mr Hampton: We just got evidence that the minister read the title of the bill. We're getting more and more evidence that he doesn't know anything about what is in the bill. He has absolutely no defence for why the word "money" appears 69 times in the bill.

Let me tell you why the word "money" appears 69 times in the bill. It appears because this is all about taking money out of the education system. This is all about finding another \$667 million at the expense of our children so you can finance your tax gift to your wealthy friends. Let me put it to you in very, very straight terms: You take from our children's education in order that you can give more wealth to people who are already wealthy. That is why the word "money" appears 69 times in this bill.

1540

My question to you is this, Minister: After 126,000 teachers left the classroom to show you that you are wrong, after literally hundreds of thousands of parents joined them on the picket lines out there, after your \$3-million propaganda campaign has blown up in your face, will you admit that you are now wrong? Will you tear this up and —

The Speaker (Hon Chris Stockwell): Thank you. Minister.

Hon David Johnson: The leader of the third party seems to have a fixation with the word "money." I understand, because it was the NDP who in 1993 and 1994, through the expenditure control program, through the social contract, took \$571 million out of the education system. Did you improve the education system? Were there any movements to improve the curriculum, to bring in a standard report card, to do standardized testing? Were parents happy with your quality in education? Absolutely not. That's why parents have said —

Interjection.

Hon David Johnson: That certainly was reflected in the results of the election, wasn't it?

Parents, through this whole period of time, have said we need to improve the quality of our education. In addition to ensuring efficiency of the system, we have brought forward those components, that testing, that curriculum, and indeed Bill 160, with the limit on class sizes.

The Speaker: Thank you very much. New question; Leader of the Opposition.

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Premier. You will now know that thousands upon thousands of people have been collecting throughout the province in protest to Bill 160. You haven't listened to teachers, you haven't listened to parents, you haven't listened to students and you haven't listened to trustees. In fact, on that last note, many trustees have spoken about the dangers of big government going mad in assuming control over education in Ontario.

One trustee in particular said, "I shudder at the thought of total provincial control over education in Ontario." Do you know who said that? It was the president of the Northern Ontario Public and Secondary School Trustees' Association, Mike Harris.

You won't listen to trustees, you won't listen to parents, you won't listen to teachers and you won't listen to students. Will you listen to Mike Harris?

Hon Mr Harris: Yes.

Mr McGuinty: If you're going to listen to Mike Harris, who some several years ago warned us about the dangers of big government going mad and assuming control over education in the exact same way that Bill 160 is about to do and the way that Bill 160 is now going to assume responsibility for the minutiae of how education will be delivered in Kenora, Cornwall, Kincardine, London, Oshawa, Ottawa, Toronto, North Bay — if you listen to that guy, what you'll do right now is stand up and withdraw Bill 160. Will you do that?

Hon Mr Harris: If I thought there was anything in the bill that would do that, I sure would.

WEARING OF GREEN RIBBONS

Mr Howard Hampton (Rainy River): My question is for the Premier. Your Minister of Education this past week attacked teachers for wearing the apple-green ribbons in the school. The apple-green ribbon campaign is in support of education. Can you tell me what is wrong with teachers wearing an apple-green ribbon in the classroom in support of public education?

Hon Michael D. Harris (Premier): I know the minister can.

Hon David Johnson (Minister of Education and Training): There are many values in the education system —

The Speaker (Hon Chris Stockwell): You know something? There's a guy with a mike up there in the gallery. You can't have the mike hanging over the edge. I think they're just explaining it now. Okay, thanks.

Hon David Johnson: There are many aspects of the education system in the province that we value dearly, and one of those aspects is the fact that our classrooms are not politicized. Indeed, school boards have policies which forbid the posting of political papers, advertising or that sort of thing.

Interjections.

Hon David Johnson: What I said was that obviously what the teachers do on their own time is their business. If they want to picket or protest, that's their business. But in the classroom, our parents have every right to believe that their children are sent there for learning, not to have the class politicized, particularly when you think of the young children in their formative stages in the elementary system. Is that what we want? Do we want our classrooms to be politicized for one political agenda or another? Absolutely not. I stick by that.

Mr Hampton: This is nothing less than incredible, that a teacher who would wear a green ribbon in the classroom in support of public education is classified as wrong by this government. That shows how clearly you live in the world of doublespeak, that to be in support of public education is wrong under this government in Ontario.

Minister, if that's your definition, can you explain to me how you justify your propaganda attack ads which appeared during the Grey Cup game, which appeared during Hockey Night in Canada, which appeared on television during prime time family viewing? Could you tell me how you justify your ugly propaganda campaign, your ugly, partisan attack ads when kids are watching television, and yet, according to you, it's wrong to wear a simple ribbon in support of public education in Ontario?

Hon David Johnson: The leader of the third party asks, first of all, about —

Mr Hampton: Ugly, ugly ads.

The Speaker: Leader of the third party, will you come to order, please.

Hon David Johnson: I think the leader of the third party knows well that it is wrong to bring this kind of political fight into the classroom. School boards have policies which forbid that. But what happens outside of the classroom is another matter. The teachers' unions, the OTE, certainly have television advertising. The government has a right and an obligation to bring information to the general public. This is beyond the classroom, a totally different situation, and the people of Ontario have a right to expect information from the government about important issues, but not in the classroom.

SOCIAL ASSISTANCE

Mr Ernie Hardeman (Oxford): My question is for the Minister of Community and Social Services. In the last few days, I've read in the local newspaper that the government's welfare fraud hotline has saved \$15 million. I'd like to know as to the government's investment in this worthwhile project.

Interjections.

Hon Janet Ecker (Minister of Community and Social Services): One of the comments from across the way was that this was more propaganda. Only the opposition would think that saving \$15 million for the taxpayers in the last two years is propaganda.

We instituted a welfare fraud hotline to get information from many people who have come in with allegations. They are investigated. There were over 2,000 cases of

welfare fraud and abuse that had their benefits either terminated or reduced because of abuse of the system. There are another 8,000 cases that we are still investigating to see if they indeed also need to have their benefits stopped or reduced.

The welfare fraud hotline costs \$174,000; we think an investment of \$174,000 to save \$15 million is a good deal for Ontario taxpayers.

1550

Mr Hardeman: I hope these results continue. However, what are we doing to prevent prisoners from illegally collecting welfare, and others who are double-dipping in the system?

Hon Mrs Ecker: There are a number of other steps we're taking in addition to the welfare fraud hotline. We have been doing what are called information-sharing agreements with other jurisdictions — for example, Manitoba, Saskatchewan, Nova Scotia, the federal government — to try and make sure that people, as they say, are not double-dipping.

In addition, we have an information-sharing agreement with the Minister of Correctional Services, and because of that activity we've saved an additional \$413,000 with individuals who are collecting welfare while in jail, which they are not supposed to do.

We'll also be having further agreements with the Workers' Compensation Board, and we'll be working with the insurance industry in future, to ensure that only those who are in need are on the system and that we are protecting the credibility of the welfare system not only for the people who need it, but also for the people who pay for it.

EDUCATION REFORM

Mrs Lyn McLeod (Fort William): My question is for the Minister of Education. Minister, 126,000 teachers across this province launched an unprecedented protest against your government's planned destruction of public education. They took this courageous action for one reason only: because as teachers they are deeply committed to education and to the future wellbeing of their students, and they were determined to do everything in their power to stop your government's attack on our education system. Your response as a government has been to vilify our teachers and to take punitive action against those who dared to raise concerns about your government's agenda.

Even your amendments are punitive. Instead of trying to respond to the concerns, you're determined to create even more chaos. Your new attack on principals and vice-principals without question will destroy effective educational leadership in every classroom in this province. Why are you so determined to plunge our educational system into total, absolute chaos?

Hon David Johnson (Minister of Education and Training): For years parents have been asking for improvements in the education system. Bill 160 is a part of the total package which includes the more rigorous curriculum, the standardized report cards, the standardized

testing, the limit on the average class size, the increased number of instructional days. Many people don't know, for example, that the average number of instructional days across Canada in the secondary level is 181 days, yet our students in Ontario only have 170 days under the present system. Through this bill we have implemented an extra 10 days at the secondary level and an extra five days at the primary levels.

In terms of the principals and vice-principals, we were assured the principals and vice-principals would be in the school in this sort of situation. The obvious fact is that they weren't. The vast majority, well over 5,000, were not in the schools, were not there to do their duties, to give safety to the children. They're in a difficult situation. They're in a conflict situation, with management responsibilities on the one hand and union responsibilities on the other.

Mrs McLeod: Minister, all of your words and any of your so-called reforms mean absolutely nothing, because the bottom line is that you cannot bring in any educational reform when you have made enemies of every teacher in this province, and you cannot bring in any positive change without effective educational leadership, and you are about to destroy that. Your attack on principals and vice-principals has nothing to do with improving education. Even your predecessor acknowledge that principals and vice-principals were important educational leaders and should stay as educational leaders in the schools.

Your change, your amendment, your attack on principals and vice-principals has nothing to do with anything you heard at the committee hearings. It has everything to do with the fact that those principals and vice-principals who were so committed to education dared to come forward and attack your government, so they must be punished. You will slap them down and you will destroy effective educational leadership, and you will plunge our education system into sheer chaos. If you won't withdraw your bill, will you at least withdraw this poorly-thought-out, draconian, punitive amendment?

Hon David Johnson: I will agree with the member opposite that improving the education system requires all members to work together. The teachers are on the front line, the principals are there on each and every school, and we certainly need the cooperation of all concerned to achieve that.

The member opposite indicates, though, that this didn't come up in the public hearings. In fact the parents' council, for example, suggested that the principals and vice-principals should not be in the union. There were a number of other people who suggested that. There is the Paroian report which suggested that the principals and vice-principals should not be in the union.

The principals and vice-principals are in a difficult conflict situation with management responsibilities, union responsibilities. Through the bill, through the amendment, we have attempted to address that.

The Speaker (Hon Chris Stockwell): New question, leader of the third party.

Mr Howard Hampton (Rainy River): A question to the Minister of Education: Minister, following on your last answer, the only parent council that said that principals and vice-principals should be taken out of the federations was that politically partisan outfit that you and your predecessor appointed. Every other parent council in the province said it would be wrong to take principals and vice-principals out of the federations. When you try to spin that line, at least give all the information and point out that it's only your partisan outfit.

I've got hundreds of letters here from principals and vice-principals across this province, not the so-called union bosses you talk about but the people who actually manage and run our schools. The supervisors, the people who deal with parents all the time are asking you, "Don't follow that destructive amendment, and frankly, don't impose Bill 160." If you won't listen to parents and you won't listen to the ordinary teachers, will you at least listen to the principals and the vice-principals who have many years' experience in our education system? Withdraw the amendment and withdraw Bill 160. Will you do that? Will you listen to them?

Hon David Johnson: I can only say that the previous minister looked at this situation. It was put forward to him that there would not be a problem, that the conflict situation could be dealt with. It's a conflict situation that does not occur anywhere else that I can think of in terms of the importance of the principal position, the management functions associated with that position, and to have the same person in the union context is quite a conflict.

Unfortunately, during the period of the unlawful strike there was a problem. There were many principals, I suspect, who did not want to leave their schools, but with the pressure that was brought to bear, the reality was that they could not serve two masters. It's a situation that needs to be clarified and we intend to proceed.

Mr Hampton: What a bunch of nonsense. Are you trying to imply that the people who are our educational leaders, principals and vice-principals don't have the integrity, the ability to make up their own minds? Is that what you're trying to imply? Be honest about it. The reason that principals and vice-principals closed schools is because under the Education Act, if they feel they cannot operate a school safely, if they do not have enough staff in the school to provide safe supervision, they have a duty to so inform the board and to then close the school. Don't try to pass off your nonsense. All of these teachers, all of these principals and vice-principals, from one end of the province to the other can't be wrong. They all say that you are headed in the wrong direction.

Your plan to bring in your hacks, your business managers and use them to replace principals and vice-principals will be destructive of education. Will you listen to them? Will you listen to someone? Will you listen to the people who have been helping to run our schools for many years?

Hon David Johnson: Through this whole process we have listened to a great number of people, through public

hearings, through consultations etc, but there is a basic concept with a senior individual, a well-respected group of people having to serve two masters, being in a management position and having management functions and responsibilities at the same time —

The Speaker: Thank you. Pursuant to standing order 30(b), it being 4 pm, it is now time for orders of the day.

1600

Mr Bud Wildman (Algoma): Point of order, Speaker: I rise to bring to your attention a problem relating to standing order 62(a). If you'll note on the Orders and Notices paper for November 17, on pages 28 and 29 it states that, "The standing committee on estimates will meet to consider" —

Interruption.

The Speaker: I've had enough interjections. This is the third one. Can you clear the galleries, please. Order. Clear the galleries, please.

Mr Tony Silipo (Dovercourt): Just one individual and clear the galleries.

The Speaker: I'm not stopping the House every time one person wants to interrupt the Legislature. There were three times, and I clear the gallery. After three times, every time I clear the gallery.

Mr Peter Kormos (Welland-Thorold): Hey, come on.

The Speaker: Member for Welland-Thorold, I'm not holding up the House every time someone wants to break up.

Interjections.

Mr John Gerretsen (Kingston and The Islands): Point of privilege, Speaker: With all due respect, I have the highest regard for your position and for you personally, but I do believe that my privileges as a member of this House and indeed the privilege of all the members here —

The Speaker: I'm sorry, we are in the middle of a point of privilege of the member for Algoma. But to comment briefly and quickly — and I'm not going to hear many challenges or points of privilege — the fact is, in any session I sit, there are three opportunities when the gallery interrupts. I say to all members, if you've been here at any time, I allow for three times. Once, I've warned them — I did warn them after the second, that another time and I would clear the galleries. If you want to check Hansard, you can.

Interjection.

The Speaker: Member for Dovercourt, I appreciate the fact that you don't like that ruling, but the fact remains, it is consistent with every ruling I have made. I'm not debating it any longer. It is consistent —

Mr Silipo: So what? It is consistently bad.

The Speaker: I am going to name the member for Dovercourt if you don't come to order. Three times I warned them I clear the galleries. It is not my expectation to have 100 people in here and have each and every one of them interrupt the proceedings. I can't do things that way. So that's the way it's —

Mr Silipo: You can't hold the whole gallery responsible for one person's actions.

The Speaker: That is the way. And it was the third interruption, to the member for Dovercourt. Either we're obviously not going to agree on this or you're not going to agree with my ruling — and I say to the members for Dovercourt and Beaches-Woodbine, I don't want to be interrupted again as I'm speaking, or I will name the members.

Interjection.

The Speaker: Member for Dovercourt, I will name you. I don't want any further debate on it. That's my rule. I've lived by the rule. I gave three warnings. I cleared the gallery. That's as simple as it gets.

The member for Algoma.

Mr Wildman: Well, Speaker, every pedagogue knows that a class detention is the worst kind of discipline. Having said that, I would like to raise with you —

The Speaker: With great respect, member for Algoma, I find that tremendously offensive. With great respect, I find it —

Interjection.

The Speaker: To the member for Sault Ste Marie and to the member for Algoma, I go to great lengths to be fair and equitable in this House to all sides, and I find that challenge to be fundamentally unfair.

Mr Wildman: Well, I withdraw the remark, Speaker.

ESTIMATES

Mr Bud Wildman (Algoma): Speaker, I want to raise with you a point of order related to standing order 62(a). I refer you to pages 28 and 29 on the Orders and Notices paper for November 17, 1997. You'll note that on page 28 it says, "The standing committee on estimates will meet to consider the estimates...of the Ministry of Education and Training, as follows: Tuesday, 18 November, 3:30 pm," in committee room 2, and "Wednesday, 19 November, 3:30 pm," in committee room 2.

On page 29 it says, under "Time Remaining," that for the Ministry of Education and Training there are seven hours and 30 minutes, because none of the time has yet been used. In other words, we have yet to begin the estimates debate on the Ministry of Education and Training.

You will note that in standing order 62(a), it says the estimates committee will report estimates "no later than the third Thursday in November," which is this week.

As you are well aware, Speaker, and all people in the assembly are aware, we are in the centre of a tremendously serious crisis in education that relates directly to the estimates of the Ministry of Education and Training, that relates to the question of whether the government intends to take another \$700 million over and above the \$800 million they have already removed from classroom education in Ontario. It is imperative that this assembly have the committee debate the estimates, and for the new minister to have the opportunity to appear before the committee, along with the deputy minister whose contract has been

the source of so much controversy, to defend those estimates.

Now, we have a problem. Because of the time allocation motion on Bill 160, that will be dealt with today and tomorrow in clause-by-clause to deal with amendments. We can't sit on a matter related to education in the standing committee on administration of justice to deal with Bill 160 on Tuesday and at the same time be in the standing committee on estimates dealing with the estimates of the Ministry of Education and Training. You can't deal with the same policy area in two different places at once.

What I am going to suggest, and I would ask for agreement among the House leaders and the members of the assembly, is unanimous consent to extend the deadline for the estimates so that we can have a later deadline rather than this Thursday, so that the estimates debates can proceed in the estimates committee and not have them truncated because of the time allocation motion on Bill 160 related to the standing committee on justice.

Mr James J. Bradley (St Catharines): Mr Speaker, this is, I think, the best way of dealing with this. I have already mentioned this privately to the government House leader as a possibility. I said that we in the official opposition would be prepared to accommodate the government and all members of the House by agreeing to postpone that date for the receipt of the estimates of the Ministry of Education for another week.

There are members of the Legislature, both on the government side and the opposition side, who have an interest in both proceedings, and I think it would be advantageous not simply for the opposition but for all members of the House who have an interest in education to be able to attend both the spending estimates consideration for the Ministry of Education and the clause-by-clause consideration of Bill 160, which deals entirely with education and the funding of education. So I think this would be a very practical solution. I have indicated to the government House leader that I am prepared to accommodate other members of the House on the government side and our side in doing so and I look forward to the usual cooperation of the government in this matter.

1610

Mrs Lyn McLeod (Fort William): Briefly, in support of the recommendation, we obviously are anxious to have an estimates session dealing with the estimates of the Ministry of Education and Training. There have been so many issues that have been raised relating to the financing of education and the proposals for future financing of education that I think a review of their estimates is of the highest priority for the members of this House.

I would hope that the Minister of Education himself would be as interested in the clause-by-clause analysis of Bill 160 as he is in defending his estimates before the estimates committee. I think the minister himself is in a conflict if these two sessions are held concurrently. But we're obviously also in a dilemma. We don't want to ask that estimates not be held concurrently with clause-by-

clause if it means we never get a chance to examine the estimates of the Ministry of Education and Training. I think Mr Wildman's suggestion is a very appropriate one and I hope it can be acted on.

The Speaker (Hon Chris Stockwell): Seeking consent is always in order and I will put the question now. I think basically everyone heard the arguments presented by —

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): Speaker, could I just speak to that?

The Speaker: Sure.

Hon Mr Sterling: Mr Speaker, this rule 62 is there for a number of reasons. Number one is that by the third week in November all of the estimates should be heard by the estimates committee and that they then are reported to the House, whether or not the estimates committee has considered all of the ministries, a few of the ministries or some of the ministries.

Following that, there is a requirement for a concurrence debate to take place. You can imagine with our legislative schedule that it's going to be very difficult for us to fit certain parts of the different processes within that period of time. I believe that we will require that necessary time to do our planning with regard to having the concurrence debate and fitting it in with the rest of our schedule. Therefore, we will follow the orders as printed and follow the intent of those orders.

The Speaker: I will still put the unanimous consent as presented by the member for Algoma. Agreed? I heard a no.

ACCESS TO PUBLIC GALLERIES

Mr John Gerretsen (Kingston and The Islands): On a point of personal privilege, Mr Speaker: I would just like to return to the point that I raised earlier, and not to debate with you your ruling.

The Speaker (Hon Chris Stockwell): I'm not interested in going back there. I appreciate the fact you don't agree with what I ruled, but if you want to make a quick point I will certainly hear it.

Mr Gerretsen: A very quick point. I think as part of our democratic system not only should we have the opportunity to debate issues here in a free and open way, but the people of Ontario, if they're willing to come down here, should be able to see what's going on here. The situation that we have right now — and I certainly don't intend to centre out the people who are in the members' galleries right now. They are still there. They are part of the general public, no more and no less so than the people in the other public galleries. I would seriously suggest to you that you may want to revisit your ruling again and perhaps only deal with the gallery on a gallery-by-gallery basis. If there are noises being made in one particular gallery and you give three warnings, then perhaps — and I don't agree with it — you could consider clearing that particular gallery rather than looking at the entire House.

Mr Gilles Pouliot (Lake Nipigon): Or one by one.

Mr Gerretsen: On a one-by-one basis.

In effect, you have left two galleries the way they were before. I certainly don't want to get into any difficulty with the people who are occupying those galleries, but why should those people be allowed to stay and the rest of the people, the other 98 people who were here earlier who did not make any noise at that point in time either, be removed from this? I don't think that's a fair situation and I would strongly suggest that you revisit your ruling on that and deal with it in a different manner than you have so far.

The Speaker: Member for Kingston and The Islands, I've got to tell you, I didn't direct this gallery to be cleared until there were interruptions. The interruptions came after I directed this gallery to be cleared.

I appreciate what you're saying, and on occasion I have had one gallery emptied as opposed to the other, much requested by the member for Dovercourt once and the member for Beaches-Woodbine.

The fact of the matter is, there were three interruptions. In a quieter moment now, to make the explanation, you're right, it is a privilege for the people of the province of Ontario to come down here and see this place as it works, and I think it's important that they do just that. But the fact remains that I can't manage this place if every 20 or 30 minutes somebody breaks into it from the gallery. I could be asking people to leave 15 or 20 times a day.

I've made a rule that if I have to ask three times, then I'm going to clear the galleries. I didn't realize that so many didn't know that, but if you check back in the record, that's what I've done. That was the third interruption, and I did warn them the second time. If you're asking me to be cognizant that this gallery is not making a noise and to clear this one, I will certainly do that in the future; that's why I didn't clear the members' galleries.

Having said that, I appreciate the opportunity now to express what I consider to be my policy. I don't think it's unreasonable, and I think it's more important that this place operate than it is to give people a forum to stand up and interrupt the proceedings of duly elected members.

POINTS OF PRIVILEGE

Mr Alvin Curling (Scarborough North): On a point of privilege, Mr Speaker: Earlier today you received a letter from me giving you notice of my intention to raise a point of privilege. My point of privilege is with regard to the Harris government's undemocratic handling of Bill 160.

The Speaker (Hon Chris Stockwell): You know something? I did get that notice, but it's not in order. As part of the rules, you must give notice of your point of privilege you are raising; your point of privilege must be outlined in the submission you give me. Simply suggesting by note that you have a point of privilege isn't good enough. I'll just read you standing order 21(c):

"Notice to Speaker

"(c) Any member proposing to raise a point of privilege, other than one arising out of proceedings in the

chamber during the course of a sessional day," which is a point of order, "shall give to the Speaker a written statement of the point at least one hour prior to raising the question in the House."

That means you must supply me, an hour before raising the question, with a written statement as to what your point of privilege is. Simply saying, "I have a point of privilege," isn't good enough according to the standing orders. My suggestion is that today you file that with my office and I'll deal with your point of privilege tomorrow. It also allows me the opportunity to know what your point of privilege is, so if there's any research to do, I can do that before I come to the Legislature.

Mr Curling: My point of privilege is about the undemocratic way Bill 160 was handled, and you're saying that's not good enough, for me to say —

The Speaker: No, I didn't.

Mr Curling: That's what was in my letter.

The Speaker: I guess what I'm trying to ascertain from your letter — "the undemocratic way." As I recall, you didn't cite the standing order or any privilege. Simply making that broad statement, to me, doesn't live up to the terms and conditions of the standing order. You said: "I hereby provide notice of my intention to raise a point of privilege today in the Legislature. My point of privilege is in regard to the Harris government's undemocratic handling of Bill 160. It is my contention that the government's action has infringed upon my privilege as a parliamentarian in the Legislative Assembly of Ontario." What I need to know is, how did they impinge upon your privilege?

You were going to stand and tell me, but under the rules, you're supposed to submit that to me an hour before the House meets. All I know from what you sent me is that you're going to stand up because of the government's undemocratic handling of Bill 160. It's just not significant enough. I guess what I'm saying is that if you're going to file a notice of a point of privilege, you've got to give me something a little more substantive than that letter.

I have a letter from a significant number of members of your caucus and they all say the same thing, and I'm no further ahead with respect to understanding what your point of privilege is. I'll certainly expect it tomorrow. If you can file it one hour before the House meets tomorrow, I'll be happy to hear your point of privilege.

Mr Curling: I'll do that, Speaker.

The Speaker: Thank you.

ACCESS TO PUBLIC GALLERIES

Mr Gilles Bisson (Cochrane South): On a point of privilege, Speaker: I'm not going to belabour this and I'm not going to go on for long, but you stated earlier that it is the public's privilege to come and visit us members of the Legislature. I understood that the public had the right to do so. This is a little bit different from what I've been led to believe. Can you please explain?

The Speaker: Let's not get hung up on words. I guess what I'm saying, privilege or right, is that they have to

obey the rules. That's the bottom line. If they don't, that right or privilege is revoked. That's what I'm trying to say.

1620

ORDERS OF THE DAY

GOVERNMENT PROCESS SIMPLIFICATION ACT (MINISTRY OF THE ATTORNEY GENERAL), 1996

LOI DE 1996

VISANT À SIMPLIFIER LES PROCESSUS GOUVERNEMENTAUX AU MINISTÈRE DU PROCUREUR GÉNÉRAL

Mr Harnick moved third reading of the following bill:

Bill 61, An Act to simplify government processes and to improve efficiency in the Ministry of the Attorney General / Projet de loi 61, Loi visant à simplifier les processus gouvernementaux et à améliorer l'efficacité au ministère du Procureur général.

Hon Charles Harnick (Attorney General, minister responsible for native affairs): I am pleased to present the Government Process Simplification Act (Ministry of the Attorney General), 1996, for third reading.

Our government is committed to reducing the legal and other costs of doing business for companies and for individuals. Measures to remove unnecessary requirements, simplify and streamline processes and improve the efficiency of our operations will result in better and less costly service delivery, savings for taxpayers, and more jobs for the people of Ontario.

In this bill we make amendments relating to the public guardian and trustee to streamline procedures, reduce costs to the public and improve efficiency. These changes will benefit the wide range of clients served by the public guardian and trustee, such as vulnerable adults, charitable institutions and the beneficiaries of estates of persons who die in Ontario without a will and without Ontario relatives able and willing to act as estate trustee. For example, our amendments will simplify procedures that the public guardian and trustee must follow to sell real estate and, in some cases, continue to act as an administrator of an estate. At present, the public guardian and trustee must obtain an order in council to get direction from cabinet. This bill does away with the current requirement to involve the cabinet in this process. This will expedite transactions and reduce costs.

We are also amending the Statutory Powers Procedure Act to clarify the details of the basic procedural rules applying to Ontario tribunals. This will serve to enhance the efficiency of the hearings process for businesses and individuals and for the tribunals themselves. As you know, the government, through its agency reform initiative, continues to look for ways to make the hearings process

simpler, speedier and more cost-effective, while preserving fairness.

With this bill, we will also make several changes relating to the Assessment Review Board. The bill makes simple procedural and other amendments that will improve the board's ability to provide better service and make more efficient use of the board's hearing time. It also gives the board discretion to decide when to use hearing clerks for clerical and administrative purposes. Right now, the board has to use clerks for all its hearings, whether they are really needed or not.

In this bill we are dealing with amendments to 14 statutes. Among them are: the Assessment Act, the Assessment Review Board Act, the Municipal Act, the Charities Accounting Act, the Courts of Justice Act, the Public Guardian and Trustee Act, the Crown Administration of Estates Act, the Escheats Act, the Loan and Trust Corporations Act, the Victims' Right to Proceeds of Crime Act, the Construction Lien Act, the Estates Act, the Succession Law Reform Act, the rules of civil procedure, the South African Trust Investments Act and the Statutory Powers Procedure Act, as I said.

These are the kind of amendments that are long overdue, because in fact they are all procedural in nature, they're not controversial, but they are all directed at providing better services to the public. They are long overdue amendments, and I'm very indebted, as is the Ministry of the Attorney General, to have had an opportunity to participate in the important work of the Red Tape Review Commission under the direction of Frank Sheehan, the member for Lincoln. I look forward to the third reading debate.

When I look at some of these amendments — amendments to the Charities Accounting Act that the public and the legal profession have been asking for for a long time; the regularization of how the public guardian and trustee office works, how it is involved with the office of the accountant of the court, the ability to permit the public guardian and trustee to obtain the ease of dealing with real estate in the public guardian and trustee's possession, to complete the administration of estates.

Under the Estates Act — let me give you an example. Subsections 49(5), (6) and (7) are repealed, and there is the provision for giving notice to the public guardian and trustee and the children's lawyer on passing of accounts. These provisions are now unnecessary, since the rules of civil procedure deal with estate procedures and address the issue of notice in the context of passing accounts. We're getting rid of things that no longer have to be there, that are duplications, that cost the public more in terms of having to deal with them. I hope my colleagues in the opposition will see that.

One of the other amendments, just to give you some example of what it is we're trying to do, is that subsection 4(1) of the bill repeals subsection 3(4) of the Construction Lien Act. This will give architects and holders of certificates of practice under the Architects Act and their employees lien rights for the supply of services and materials that enhance the value of premises. This change

will bring them within the dispute resolution scheme that governs construction matters. Again, we're dealing with the kinds of things that are good for the public, that streamline the administration of justice, that get rid of duplication and that provide the public with a simplified way to deal with the public guardian and trustee, the Statutory Powers Procedure Act and a number of other acts.

I look forward to the debate that is going to take place. I can tell you that this is important legislation. It's good for the public. Stakeholders that we have been consulting with on every one of these bills are very positive about the directions we're moving in. They're very anxious to see this bill pass, and certainly we are, because it will improve the administration of justice in a number of areas that are long overdue, that are costing the public a lot of money and time. The Ministry of the Attorney General is very much committed to see this bill pass, to provide a much better process for the public to use when dealing with the 14 statutes that are being amended, because we want to simplify the process for the public who use the justice system.

The Acting Speaker (Mr Bert Johnson): Questions and comments?

Ms Annamarie Castrilli (Downsview): It's good to hear the Attorney General speak about his keenness in improving the administration of justice. On that we can agree. Whether this government is committed to achieving just that is another matter.

Bill 61 before us does deal with a number of statutes and makes some attempt to simplify the way those statutes are implemented, but it also deals with increasing fees for consumers, new user fees in about 20 statutes, as a matter of fact. It is all about raising revenue much more than it is about delivering a system of justice that is credible. That, of course, is the main problem. We see a government that is quite keen on moving on issues that have to do with the bottom line. They're quite keen on issues that have to do with concentrating power among the few. They're not at all keen in dealing with the real issues before us.

Justice is more than simply raising new fees to make justice more cost-effective. Justice is about delivering services that are equal to all people. Justice is about ensuring that everyone in Ontario has the same access to the system of justice, whether they're rich or whether they're poor.

While I applaud the Attorney General for dealing quickly with this area, I would love to see some real action on issues of court backlogs, legal aid reform, family support plan access, the issues that affect ordinary people in this province. Hopefully, he will be able to act just as quickly on those important issues.

1630

Mr John Gerretsen (Kingston and The Islands): Let me say as well that I support this particular initiative in the sense that we're all in favour of simplifying the process, but what I have great difficulty with is that if the Attorney General, from his dissertation here today, is to be believed, that this really is good for the system, why

did he wait a year and a half before passing this bill? This bill was introduced in this House on June 5, 1996, and since that time, with respect to all the red tape bills, the opposition has been speaking to the government House leader, whoever that may be from time to time, on an ongoing basis: "Bring these bills back. If you're in favour of cutting out red tape and speeding the process along, having less government interference in the aspects we're talking about here, bring the bills along so we can debate them and then implement them."

Of course that hasn't happened. We have waited a year and a half for this relatively simple bill that amends 14 statutes and that everybody agrees makes the kind of changes that are necessary for this province in the 1990s. It's taken a year and a half for this government to actually do something about it.

There may be a good reason, the reason being that the mess that occurred within the family support area, which we've all known about, was so humongous that the Attorney General simply couldn't deal with this relatively simple bill. I say to the government, bring forward your other red tape bills as well. Bring them forward as soon as possible for third reading so we can do something to help the people of Ontario.

The Acting Speaker: Comments and questions? Further debate.

Ms Castrilli: I seek consent to share my time with the members for Windsor-Walkerville, Parkdale and St Catharines.

The Acting Speaker: It will be done.

Ms Castrilli: I have already indicated in my previous comments that this legislation is troubling. It's troubling on a number of fronts. It seeks to change or make amendments to some 14 statutes, but it seeks to deal with what are really peripheral issues to the administration of justice. It seeks, furthermore, to impose a set of user fees in particular areas, and it seeks to downsize, sometimes without a great deal of thought.

May I say that it's rather sad that at this juncture, today of all days, when we've had considerable disruption and a great deal of interest and a lot of anguish over the issue of education, when we should be debating what is fundamentally in the mind of every Ontarian, a quality education system, which has been disrupted over the last month or so by the actions of this government, that rather than debating those very issues, rather than focusing on what are the concerns of Ontario, we find ourselves now sidestepping a very important issue and are dealing with what is essentially a technical bill.

It is unfortunate that we do not have more time to discuss Bill 160.

Hon Mr Harnick: On a point of order, Mr Speaker: I think it's important that the public understand that while we're debating this particular bill in this chamber today, at the same time this is going on, the bill my friend refers to, Bill 160, is before a committee for clause-by-clause. Certainly I'm very interested in Bill 61, and her colleague talked about the fact that this has been around since June 1996 and he's very interested in getting it done. I think

we'd do well to deal with Bill 61 now and let the clause-by-clause go on at the committee hearing, and let the public also know that we are dealing with Bill 160. It's going through clause-by-clause review as we speak in here on Bill 61.

The Acting Speaker: That is a point of order. I take it that you're suggesting that the member for Downsview speak to this bill and I will listen with great attention to her.

Ms Castrilli: Mr Speaker, I take you at your word. It was not my intention, certainly, to digress but simply to set a framework for the discussion of this bill. I take no comfort from what the Attorney General has said with respect to the clause-by-clause discussion of this bill, Bill 160. The reality is that we have tried to ensure that there is adequate time for Bill 160 to be discussed, and that has been denied by this government. I will, however, stick to Bill 61, and more important, the performance of the Ministry of the Attorney General.

Mr Gerretsen: On a point of order, Mr Speaker: Without taking anything away from the eloquence of the member for Downsview, I don't believe we have quorum here. If the Attorney General truly believes that this bill so important, there surely ought to be enough government members in the House to listen to this debate. I believe we have fewer than 20 members in the House right now, Mr Speaker.

The Acting Speaker: Would you check to see if a quorum is present?

Clerk Assistant (Ms Deborah Deller): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker: The member for Downsview.

Ms Castrilli: As I had begun to say, Bill 61 is a piece of legislation that we will support in principle, but we would like to have seen a great deal of action in terms of this Ministry of the Attorney General and the other things that are a concern to us.

What I would like to say first off is that the focus is on the bottom line. There is no question that when we talk about issues with this government, whether they be health, education or justice, what we talk about first and foremost is money. When you look at what is happening in the administration of justice and whether we actually have a system that services its people, we have to go beyond Bill 61, but Bill 61 certainly sets the tone.

I'd like to talk about the issues that affect Ontarians — the comments, the records, the studies that have been performed with respect to the Ministry of the Attorney General — and to talk about the performance of the Ministry of the Attorney General in delivering a system of justice. We have many times, in this chamber, talked about the deficiencies of the ministry and we haven't been alone. We have been supported by chief justices, by lawyers, by consumers, by people everywhere who are concerned about the direction in which we are going.

I will remind you that we have still been experiencing over the last two years considerable backlogs in our

courts. We have fewer crown attorneys than we've ever had and they are dealing with ever more complex cases. There have been cuts to funding which have been exorbitant, so that very credible people within the legal profession are questioning our ability to give justice to the people of Ontario. We still have delays in terms of the cases we try, and we have been told on more than one occasion that cases are threatened because they do not get to court in a timely fashion.

1640

I have raised this issue in the House on a number of occasions because there has been a pattern which has been very difficult to ignore. I think all of us who care about the delivery of justice must take these things very seriously. I have cited here before the numbers of cases that have been either thrown out or not dealt with. Justice Peter Howden threw out a burglary charge in Newmarket; Justice John McIsaac threw out charges of theft in Newmarket; Justice Alfred Stong dismissed a Whitby sexual assault case; Justice Casey Hill threw out theft charges in Brampton; and Justice Roger Salhany threw out sexual interference charges — all due to court delays. These are very, very serious facts for us to take into account. It has not changed to any great extent, as I will indicate during the course of my speech here today.

We have also dealt with, in this chamber, the issue of public safety. How can we justify to the public that alleged offenders, some of them potentially very dangerous, are being let back out on our streets? How can you justify alleged sexual offenders being let go again to prey on our young people? How do we deal with the constant rumours we still hear about delays throughout the province?

We have raised issues of plea bargaining. This is a system that is strapped. It is strapped for cash and it is strapped for people. When that happens we are forced into agreements, into bargaining that might not otherwise have occurred. We have raised of course the most notorious one, which was Karla Homolka, but that was only one, and even now victims who are involved with the justice system are concerned about the fact that they are not being consulted, that they are not being involved.

You may recall that this government has on many occasions talked about their commitment to victims' rights. I introduced a bill on victims' rights, which I hoped would become incorporated into the government's bill, and some of it did, but certainly not with the kind of language and the kind of strength we would have liked. The reality is that we still have situations where victims are not involved. Just before the House rose I cited yet another example of a young girl who was found dead, brutally murdered in her bed, and plea bargaining was being threatened without any kind of consultation with the family that had suffered once already through the death of their child and was suffering yet again through the action of the justice system.

We've heard about the difficulties with the legal aid program and they were so serious that a legal aid review was commissioned and John McCamus reported in a way

that is really quite staggering that funding has been frozen for legal aid since 1994; that this has been causing incredible difficulties in all of the courts. The result has been that many criminal defendants are left in jail needlessly at times, but more important, there are families that are being unrepresented. In family law courts some 68% of the parties are not represented. They are typically women; they are typically women with small children; they are typically children. The most vulnerable and the weakest have no access to all the tools that are required to be able to get justice in this province.

These are very serious charges and they are not being made by the opposition; they are being made by respectable individuals who have studied the system and who are concerned about how we deliver justice in this province. The Family Lawyers' Association wrote a scathing report documenting just how difficult it is for ordinary individuals — that is, people who don't have a lot of money — to be able to get their cases heard, and heard well. Their comments are particularly instructive. They point out that parties involved in family law disputes deal with fundamental issues affecting their children, support and property division. Often the cases involve safety, and often the parties are unrepresented.

You have to wonder about a society that has different standards of justice for the rich and the poor. I think it was best put by now Chief Justice McMurtry, who was then Attorney General of Ontario, on May 26, 1977, when he spoke about legal aid. He spoke about the function of legal aid in a society and the role we must play in ensuring its arrival. I'd like to read that for the record, because I think it would be very instructive for members opposite to hear what their own Attorney General, a Conservative Attorney General, had to say in 1977.

"The basic purpose of the legal aid plan is, of course, to serve the public — to serve the public by enabling each of its members to have access to the kind of legal assistance that is essential for the understanding and assertion of our individual rights, obligations and freedoms under the law.

"Every great human endeavour that is worth perpetuating draws its strength from a set of basic principles. I therefore think that it is appropriate from time to time that institutions take a moment to reflect on the principles which brought them forth and the tenets which give them strength and sustain them in their task. In this context I can think of no better statement of the principles and goals of our legal aid system than that made by the Honourable Mr Justice Martin, when he was at the bar, shortly after the inception of our present plan:

"We live in a society that is deeply committed to improving the material welfare of all, to providing essential medical services and to ensuring equal opportunity for education. A society so committed will not tolerate the lack of adequate legal representation for those without the means to secure it for themselves.

"The fundamental postulate of the Ontario legal aid plan is that no person should be precluded by poverty from having necessary and adequate legal services....

"The Ontario legal aid plan was boldly and imaginatively conceived. While modifications may from time to time take place it may be confidently asserted that it is capable of making a great contribution to the administration of justice and it may well be a landmark in man's never-ending search for justice."

It then ends with, "It is the corporate responsibility of a community to see that none of its members is excluded from the rule of law."

That's truly what's at stake here, that we have segments of our society that will be excluded from the rule of law because they can't afford the representation, because they're ignorant of the law, because they're weak and vulnerable and don't have a way to access the system of justice.

One could go on at great length on any one of these subjects, but time is short and I want to deal with some other points that are very, very difficult, and that, of course, is another area which also affects the most vulnerable, women and children by and large, the 97% of clients, if you can call them clients, of the Family Responsibility Office.

The minister will tell you that they're making great strides and that things have changed and that they're on the mend. Yet we look at the report of the Ombudsman. The Ombudsman is the avenue of last recourse for people who can't go anywhere else. The Ombudsman this year felt it incumbent upon herself to single out the Family Responsibility Office because it was so bad; again, an action which is not expected of an Ombudsman. It's unprecedented.

1650

It's interesting that she would do that at this particular time. She points out some very interesting facts, some of which we have dealt with in this House. She wonders aloud how you can deliver an effective system when you shut down eight regional offices and you terminate 300 of the 352 employees while still having the same client base, in fact having a client base that is growing all the time.

As I've said, 97% of parents paying child support are men, and therefore the ones receiving it are women and children. Still 76% of family support orders are in arrears, and Ontario fathers owe well over \$900 million to their children and wives.

People are being forced to get compliance orders, but they're meaningless because, quite frankly, there is not the enforcement mechanism, there are not the people to be able to enforce the compliance orders that have been granted by the courts, putting an additional burden on the courts for absolutely no reason. Ask the sheriff's office how often they can intervene, how often they will take compliance orders and enforce them. I can tell you that in my experience it doesn't happen very often.

The Ombudsman makes some very clear comments. She talks about how difficult it is for families. She talks about how during her term the situation has deteriorated; that the number of calls to her office regarding the transitions has doubled and continues to climb; that the delays continue; that some support recipients "advise my office

that they were owed several instalments of support payments. Many stated that they were desperate because they could not pay their rent or their heating bills or buy necessities for their children. Their concerns were exacerbated by the fact that they could not directly contact the client. Clients often stated they had left messages which" —

Mr Dan Newman (Scarborough Centre): On a point of order, Mr Speaker: I was listening attentively to the member for Downsview. I know we're debating Bill 61 here today, which is the red tape bill dealing with the Ministry of the Attorney General. As I've gone through the bill, there's no mention about legal aid or the Family Responsibility Office or the court backlogs that were caused by the previous Liberal government that we're now fixing. I was wondering if you might get the member for Downsview to speak on Bill 61.

The Acting Speaker: When I can hear the member for Downsview over the hoedown, I find that she is not out of context of the orders, of the business of the day. I'm not saying that every word or phrase is exactly Bill 61, but I see it as quite usual debate.

Ms Castrilli: I regret that time is becoming ever shorter to deal with some of the pressing issues, but I am indeed talking about the administration of justice, which is what the Attorney General wants us to talk about, and it's what he introduced in his comments here today.

It's obvious that in another area which touches vulnerable people we have not done very well in this province because of this government's haste to cut, to downsize without consequence, without thinking of a plan and without understanding what the results and effects of their actions would be.

There's no more telling indictment than something that occurred over the weekend. It's interesting, as I've said, that none of this really comes from the opposition; it all comes from members of the legal community. You may know that this weekend the law union conference was held. About 150 judges and lawyers had the opportunity to raise several concerns about the Ontario justice system. The end result is that they were outraged at what was going on within the system.

The issue before us is quite timely, because these judges and lawyers joined the chief justices, joined the Ombudsman of Ontario, joined ordinary people in saying there is a crisis; there is a problem. In fact, the *Globe and Mail* said this morning, "Courts in Tatters, Judges Say." Can you imagine a more violent attack than this?

If you read some of the examples of what individual members had to say at this conference, you start to understand the real problems we have. Judges say, "What we are doing is obviously not working." Judges cite problems of overworked lawyers who cannot represent their clients because they have far too many cases and sometimes are not prepared. Judges indicate, "We are still letting people off," that alleged offenders are still not getting their day in court, bringing again the issue of public safety which I mentioned before.

The journalist starts by saying, "The Ontario court system is an assembly line staffed by disillusioned judges, harried prosecutors and often inept defence lawyers." These are very stern words indeed. The bail system is chastised. The access to justice is chastised. Ultimately, one concludes, "If there is one thing we all agree on, it is that our court system is being inappropriately used as a dumping ground for social problems."

It's obvious that in the last few years the system has deteriorated. That's their conclusion; it certainly is our conclusion. The question is, what do we do about it? When will we get some action in each of these areas, and others? When will we have some true reform of the system which allows for individuals to be dealt with fairly, which allows for a justice system that does not just focus on the rich, who can afford lawyers, who can go to court. These are significant questions. None of these are answered by Bill 61. None of these, in fact, are answered by this Attorney General at all. We keep raising the issues and we get no responses.

We all agree in this House that the hallmark of a democracy is justice. It's justice that's predicated on equality and fairness and access. It is not justice when there is no representation or little representation, when justice is delayed, when justice does not listen to those who need it most.

That's really what we have here, an attitude that focuses on the bottom line, that focuses on how we get fees, on how we take money out of the system, on how we redirect that money to tax cuts. Nowhere is there a discussion of how we serve Ontarians best. That's a question the Attorney General will have to answer and that this government will have to answer for. Ontarians will not be fooled for long. They know about the court backlogs; they know they can't have very basic services delivered by this government.

You know we're on a slippery slope, because when the justice system fails, all of us fail. I would hope that the government would take stock and move expeditiously to resolve some of the real difficulties in this province.

Mr Dwight Duncan (Windsor-Walkerville): Thanks to my colleague for sharing her time and for her words of wisdom on one of a number of bills that are very significant from both the government's and opposition's perspectives.

As I indicated, Bill 61 is one of eight bills the government is dealing with under the guise of cutting red tape. As is the case in so much of what the government does, what the name implies and what the government says its objectives are aren't necessarily reflected in the legislation we're dealing with at hand, in this case Bill 61.

The government called these eight bills their process simplification bills, indicating that they cut red tape and make Ontario a better place to do business, when in fact these bills have less to do with red tape for business and consumers and more to do with providing new powers to implement fees and giving new powers to cabinet ministers. Where have we heard that before? My first strong recollection in the two years of the life of this

Parliament was Bill 26, the bully bill, the omnibus bill, which gave sweeping new powers to the ministers of health and municipal affairs and to the cabinet. And what bill have we been debating today, not unlike this? Bill 160, yet another piece of legislation that gives new powers to the ministers and the government.

1700

Hon Mr Harnick: On a point of order, Mr Speaker: I rose on the same point of order when the member's colleague was speaking. We are here to debate Bill 61. The member for Downsview started her speech by saying, "We should be debating Bill 160." That's the way the member from Windsor has started his speech. The fact is that we all know, and those who are watching this should also know, that clause-by-clause on Bill 160 is going on right now in another place in this building. To say we should be debating that —

The Acting Speaker (Mr Gilles E. Morin): I just took over the chair. I wasn't paying attention, but I take your word for it. I suggest you stick to the bill.

Mr Duncan: We are speaking about the concept of the government saying one thing about a bill when in fact the bill means another thing. Of course the Attorney General doesn't want to speak about 160 today. He doesn't want to speak about that, just as his government members don't want to speak about that today. They had enough trouble in their own caucus this morning with the divisions.

Yes, I agree, we should be talking about those themes, the themes of saying one thing — calling them, in this case, process simplification bills when in fact they're bills that consolidate, and Bill 61 is one of those bills that consolidates power to the Attorney General. All these bills do that and give the government new powers to raise fees. Bill 160 is like that, so we're dealing with the same themes. We're dealing with a government that in these bills, Bill 61 in particular, which is very much like Bill 160, wants to consolidate power unto itself. It says it's doing one thing when in fact it's doing another, and not doing anything very well at all.

Yes, some of these bills do remove obsolete legislation or provide minimal amounts of government operation streamlining. For the most part, these bills implement various government downsizing projects. Again, when we talk about themes, that's what 160 is all about. It's about taking money away from our kids. It's about undermining our quality of education and has nothing to do with what the bill is supposed to be dealing with, according to the title.

We look at this Bill 61, a bill that is designed to streamline, from my understanding and reading of the bill, the public guardian and trustee, the Assessment Review Board and, lo and behold, the Statutory Powers Procedure Act. Funny: a government that shows so little respect for procedures, and when it so chooses, it changes them. We saw what they did to the procedures in this House.

The Attorney General speaks euphemistically about the clause-by-clause hearings that are going on today on Bill 160, those hearings, you'll recall, like so much else the government has done, that weren't hearings at all; they

were shams. The government didn't even have its amendments in on time. Fortunately, we don't need amendments to this bill, apparently, the way we do for 160. The way they're doing it for 160 is all wrong.

We suggest that this government's agenda with Bill 61 is to consolidate power and raise new revenues. That is so much like what they've done in so many other areas. It's important, when we debate a bill like Bill 61, to consider it in the broader context of what the government is doing. With these eight bills, as they've done in so many other instances, they are saying one thing and in fact, in our view, doing something quite different.

We can't consider Bill 61 only in the context of what the government is doing with respect to its broad agenda, but also to what the government has done in other areas. We think of the family support office and family support plan and what they've done there. Despite what the Attorney General believes, we know that the problems continue to exist. What did they do with that office? They closed regional offices and consolidated power to a central bureaucracy. They moved all the decision-making from a local base to a Queen's Park base. Doesn't that sound all too familiar?

Bill 160 does the same thing. It takes all decision-making away from local authorities and concentrates it in a bureaucracy in Toronto that we know will not be efficient and will not serve the interests of students particularly, local ratepayers or parents or teachers.

The other government process simplification legislation, or the cutting red tape bills, are very much like Bill 160. They belie the government's true agenda in this area and others, and that is an agenda that consolidates power to the cabinet, to the government, removes local decision-making authority, takes away individuals' rights and vests them in the government.

We have to look at these bills very carefully. We have to understand the broad themes the government is dealing with and we also have to point out how wrong the government is in its approach. Instead of trying to raise revenues and consolidate power, the government should have done something meaningful to cut red tape, just as in education they should have done something meaningful to improve the quality of education in Ontario, not simply cut funding, not simply cut teachers and not simply remove local decision-making from education.

But this government can't seem to grasp the complexity of these issues and the difficulty in dealing with them. Like the family support plan offices, they are going to create more messes, messes that in the case of this bill will take time to clean up. We still have the messes with the family support plan, we still have the outstanding payments, and we have a centralized bureaucracy.

Unfortunately, when you mess around with education, when you tamper with the fundamentals of how we educate our children, it's not simply a matter of going back and cleaning things up afterwards. It is a matter of doing what's right in the first instance and doing what you said you'd do. You said you wouldn't cut funding from classrooms, and you have. First, when this strike started,

you said it wasn't about money, and then the Premier confirmed it was about finding \$700 million more, and that's on top of what you already cut.

Like Bill 61, a bill that is supposed to cut red tape but in fact deals with consolidating power and with raising non-tax revenues, Bill 160 is the same. It's not about quality education. It's about taking away local —

The Acting Speaker: Order. You're just circling around the issue. Bill 61 is the bill we're debating.

Mr Duncan: Bill 160 takes away control, just as this bill does; it consolidates power with cabinet, just as this bill does; and it pays no heed to local needs, just as this bill does. So, Mr Speaker, we are of the view that you have to consider this bill in the government's broader legislative context.

1710

I conclude by saying that this bill, Bill 61, has no more to do with cutting red tape and simplification than 160 has to do with improving the quality of education. This bill will give the government sweeping new powers to raise revenues on the backs of the people of this province and to consolidate power, just as Bill 160 doesn't deal with education; it deals more with consolidating power and taking money out of education.

This government has a failed agenda. That's why it's losing the battle of public opinion on the education question and that's why this government will be defeated in two years.

Mr Tony Ruprecht (Parkdale): I wanted to indicate to you, Mr Speaker, that you had earlier said you couldn't hear the speaker because of the hoedown that was taking place outside. The reason I thought was fairly simple. The noise of people who are right now demonstrating in front of the Legislature is quite loud. All of us in this chamber are able to hear essentially what's going on. In fact right now I hear that there is a microphone on with a very loud volume, and I would suspect that the teachers, the parents, the students and all those who are in favour of this demonstration are right now addressing this government. They're addressing Bill 160.

Even though I heard what the Attorney General said earlier — that, yes, we should focus on Bill 61, and of course we will — nevertheless I think probably what should have taken place today was a discussion on Bill 160. Of course, that was an important item.

Mrs Marion Boyd (London Centre): On a point of order, Mr Speaker: I think it is important for us to have a quorum during this discussion, and I don't believe we have one.

The Acting Speaker: Would you please check if we have a quorum.

Clerk Assistant: A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker: The member for Parkdale.

Mr Ruprecht: Thank you very much, Mr Speaker.

I of course don't wish to belabour this point, but right now outside this Legislature we hear a substantial number of people shouting to us, to this chamber, to the Attorney

General and to all of us who are here today, including the Premier, that they wish to discuss Bill 160.

I know I'm going to be criticized, saying we should be focusing in on Bill 61, which I of course will do, but I just wanted to put on this table in public that there's a crisis out there and that we should be discussing it at the same time while the amendments are taking place in committee. Thank you, Mr Speaker, for permitting me to make that point.

Bill 61: Of course we're here today to look at this particular legislation. I wanted to indicate before I make my short remarks that we are in favour of Bill 61 and that, yes, it is a step in the right direction. Of course we can do better. I think the Attorney General today will agree with that, that we can do better, although this is what we have today in front of us.

The bill clearly is to try to simplify government processes and to improve efficiency in the ministry. I see that this bill, as all of us know, will try to repeal 14 statutes; to what degree of course is a matter of judgement. But most of these statutes are administered by the Ministry of the Attorney General, and the purpose of the amendments is to simplify the process of government, so there will be changes, changes in the Assessment Review Board that are made to the Assessment Act and to the municipality act. There will be changes affecting the public guardian and trustee, and there will be changes that have to do with the Construction Lien Act.

There are a number of others, of course. One is a very strange one, and that's section 12 of the bill, which deals with the South African Trust Investments Act. Those who were here in 1988 will remember our discussion on this particular bill. The other ones are the Estates Act and the Statutory Powers Procedure Act.

There is no doubt that we can do better. As it stands right now, the Ombudsman, as was said by the member for Downsview, had indicated that there is a crisis. We see today on the front page of the Globe and Mail the headline, "Courts in Tatters, Judges Say." "The Ontario court system" — that's the essence of this article — "is an assembly line staffed by disillusioned judges, harried prosecutors and often inept defence lawyers." That is a statement that should be of grave concern to the Attorney General, and I know that he will probably take this seriously. It goes on to say that judges and lawyers are citing problems. What are they? From overwork and unpreparedness of the lawyers to the vast numbers of unrepresented litigants who are overwhelming the court system. For many, the clear solution was to restore funding to the legal aid and court systems, to restore funding to the legal aid plan.

All of us who go to our constituency offices know — mine, of course, is the one open longest in the province. My office is open from 9 o'clock until 6 every day, and Saturdays it is open from 9:30 to 12:30. I hear many of my constituents who come to my office, and they are complaining because there is a lack of legal aid certificates. It becomes clear that there is a system for the rich, who are

able to afford the luxuries of a court system, and the poor, who come to my constituency office.

I know there are members on the other side who represent areas that have the same ethnocultural mix as Parkdale, and I also know that many members of the government have office hours that are almost as long as mine. I know that many members of the government do get complaints about the court system. I know that many of them get requests from their constituents to get into a legal aid plan, to get a legal aid certificate to fight the injustices that some of the residents think have been done to them. Of course, if you don't get a legal aid certificate, you are unable to enter the court system unless you've got the financial resources that are essential to get into the court system to fight for justice.

It is clear that the court system needs to change and that legal aid certificates and the whole system of financing legal aid certificates have to be looked at by the Attorney General. I hope he will do that simply because of a sense of fairness. There cannot be a system of justice based on those who can afford it and those who cannot. That is not a system of justice; that is a travesty of justice. It behooves the Attorney General to look at that specifically and to see what he can do about that.

In closing, let me simply say that the member for Downsview has made a really important and salient point. She has said that our court system is used as a dumping ground for our social problems.

1720

If we look at the specifics we can find that in many instances — and I'm thinking specifically about my area because we have a mental health care system in Parkdale and many of the people who are in the confines of that hospital are leaving unsupervised and ending up in our court system. They either are throwing themselves in front of streetcars or getting inebriated or, because of the specific challenges that each of them faces, ending up either in the hospital or in the courts. Our system then becomes overloaded.

The Attorney General, in Bill 61, has to look specifically at how a system can be implemented that does not necessarily bring every one of our social problems into the court system. There's got to be a way to shield people and to help people, all those who are challenged and end up in the court system. There's got to be a way to shield them from entering the court system, so that the court system is supposed to do what is designed to do; namely, to administer justice and not to look after those who have a social problem.

Mr Speaker, I thank you very much for being able to make these remarks and I hope the Attorney General will take some of my comments seriously.

Mr James J. Bradley (St Catharines): I rise to address this particular bill, Bill 61, which deals with the imposition of new fees on the people of Ontario. I well recall Mike Harris when he was leader of the Conservative Party and didn't hold the title of Premier; he was leader of the third party. I asked him about user fees and he said, "Well, user fees are taxes." That's what we find

in this bill. We find user fees being able to be implemented.

It is indicated in the bill that the eight government process simplification bills have less to do with the reducing of red tape for business and consumers and have more to do with providing new powers to implement fees and give new powers to cabinet ministers. I want to note that this bill allows the setting of powers under 20 different statutes for eight different increases in fees, and it removes the requirement that where the provincial guardian and trustee is the administrator of an estate it must obtain an order in council to sell real estate, since private administrators don't need such approvals. The bill also makes other administrative and housekeeping changes to the way that the provincial guardian and trustee office carries out its duties.

My main concern is that this is a vehicle for the government to collect more money into the system and to concentrate more power outside of this Legislature in the hands of my friend the Attorney General. While I may from time to time find his judgement to be reasonable, I worry that many of his colleagues are going to coerce him into suggesting that there be some significant increases in fees.

I guess the consolation could be, if there were increases in fees in this bill, then the government might be in a position where it's not going to remove \$667 million more from the education system, as provided for in another bill that's in another committee at this very time. That bill, as you would know, Mr Speaker, better than anybody, is Bill 160, the bill of course that we should be debating this afternoon in terms of having more time to discuss that.

No bill before this House can be taken just by itself. We must always look at the context in which the bill is found. You would know, Mr Speaker, being a guardian of parliamentary procedure over the years, establishing a fine reputation in this regard, that this government has changed the rules of the House to enable it to put through bills of all kinds very quickly. Bill 61 is the kind of bill that ordinarily wouldn't occupy a lot of time in this House. It's less controversial than Bill 160, the education bill which concentrates so much power in the hands of the provincial government and takes it away from the local decision-making process. This bill doesn't do that to the same extent. Although there's a movement in that direction, it doesn't do it to the same extent.

Ordinarily, this debate would take place in a relatively short period of time. Under the new rules, as you know, at a certain period of time members can speak for only 10 minutes on a piece of legislation. One might say that on this piece of legislation 10 minutes might be reasonable. I think most members of the House would agree with that. But on Bill 160, one would need at least an hour to discuss, because it has well over 200 pages. Even the detrimental parts of that bill would take an hour, let alone the few items found in that bill; I'm referring to Bill 160 now. That would be a very short period of time one would take on anything in the bill that would be worthwhile.

Here we are this afternoon. The Attorney General is pinned down to the House longer than he would like to be, when it should of course be the Minister of Education here this afternoon. Heaven knows the Attorney General needs more resources to carry out his responsibilities. All they're doing here is giving the government a chance to gouge more people, to impose new user fees or increase user fees.

That's okay for people who are well off. They can afford that. But the average person is looking out there saying he or she can't afford these kinds of increases.

Mr Wayne Wettlaufer (Kitchener): What about VLTs?

Mr Bradley: I can't really bring video lottery terminals into this, unless the Attorney General says there is something in this. But you would note, Mr Speaker — and I diverge only for a very short period of time — the results of the last municipal election, where municipality after municipality in Ontario turned thumbs down on casino gambling, on these so-called charity casinos. I'm worried about that. I'm looking in this bill to see, is there something to do with video lottery terminals? Is there a new fee that might be imposed in this regard?

I know the Minister of Consumer and Commercial Relations is bribing the municipalities — and I don't use that in as negative a sense as you'd think — by saying, "We will give you \$1,500 per video lottery terminal, if only you'll put these evil devices in your community." I hope he doesn't. I don't want to dwell on that, because —

Mr Peter Kormos (Welland-Thorold): The Charities Accounting Act.

Mr Bradley: The member for Welland points out, and he's very helpful to me, that the Charities Accounting Act is found within this bill. So I'm well within my jurisdiction to talk about the placement of video lottery terminals or electronic slot machines in every bar and every restaurant on every street in every neighbourhood of every community of every village, town and city in the province of Ontario.

The Acting Speaker: You're really pushing your luck.

Mr Bradley: I am always prepared to accept a reprimand from you, Mr Speaker. When you speak, you're right, of course, but my friend from Welland-Thorold did point out this does affect the Charities Accounting Act. We know that the Minister of Consumer and Commercial Relations is trying to get the charities to write to MPPs and local councils now and say, "If you don't accept these in your community, you're not getting any of the dough." That's intimidation, I would think.

Hon Jim Flaherty (Minister of Labour): — let it go to Buffalo, like now.

Mr Bradley: I hear an interjection from the other side. I'll be reporting to the Christian Reformed Church, the United Church, the Anglican Church, all the churches out there who are worried about video lottery terminals and who thought they had elected a family values crew on the other side of the House.

My friends from Scarborough, who are both from the family values coalition, or something like that, are now

very worried about these video lottery terminals, I know, and will be speaking on this later on.

1730

I want to say this: Under the rules of this House, this bill can pass very quickly. The point I'm trying to make is that this is the kind of bill that in the days before the rule changes probably would have gone through quite quickly. But with the rules changes in the House now limiting the amount of time members have on Bill 160 and other controversial bills, which should take longer, members tend to now perhaps take a little longer than they might otherwise on Bill 61 and bills of this kind. My friend from Welland-Thorold nods in agreement with that particular contention.

This bill will no doubt pass. The government has 82 seats. It has greased the skids through its rule changes this summer to be able to put any legislation it wants through the House. It has taken away from the opposition any of the bargaining chips — that's a gambling term so I'd better say "any of the bargaining tools" that the opposition would have been removed. If I wanted to influence the Attorney General and say, "I think you should take two segments of this bill out," he may smile benignly and say, "We will consider that." I have no way of persuading him, through undue delay of the bill or other extraordinary parliamentary procedure, to prevent this from happening.

That's the problem with Bill 160, the companion bill to this. Now the government can just push through. May I say to you, I would have given consent for the government to open up the amendment process longer on this bill or, most assuredly, on Bill 160, so the government could bring in additional amendments which would reflect what has been heard at the committee, not by those who were sent there, not by the former Tory candidates who appeared — I saw them, the right guard who showed up — but by ordinary, everyday people who came to the hearings and expressed their concerns about Bill 160.

One thing I must say about this bill that is not contained in Bill 160, at least I don't see the vindictiveness in this bill, and I want to compliment the Attorney General. In Bill 160, they took the vice-principals and the principals out of the federation, even though the former minister, Mr Snobelen, said, "We don't intend to do that." He extolled the virtues of not having principals and vice-principals exempt from the teachers' federation. The Attorney General didn't do that in this case.

The Acting Speaker: Bill 61, please.

Mr Bradley: I am complimenting the Attorney General for not doing what his colleague the Minister of Education did with Bill 160, and that is, he doesn't exempt people from this. I don't see any exemptions. I don't see in here that any of the employees of the government are taken out of their federations or their unions as the principals and vice-principals have unwisely been taken out. May I compliment the Attorney General on the lack of vindictiveness in this particular bill. I hope that he will bring the message to his colleagues the Premier and the Minister of Education that they should remove from Bill 160 those most offensive parts so that

we can have people working together towards improving education in every way we can as a team: as teachers, as students, as parents, as interested people. I urge the Attorney General to do that in the near future.

The Acting Speaker: Questions or comments?

Mr Kormos: I want to comment in particular on the member for St Catharines' reference to the length of time that a relatively innocuous bill, Bill 61 — quite brief, some 12 pages in length, benign, as I say, because it would appear that it's going to have the support of all of the caucuses, all of the members here at Queen's Park — his reference to the fact that it's taking an unseemly lengthy period of time for a modest, benign piece of legislation like this to receive passage. He of course makes reference to the fact that this government introduced those rule changes.

He has bemoaned the fact that at the time of those rules changes it was hard to get anybody particularly interested in them. They didn't have the pizzazz or the spin of a whole lot of other things that were taking place at the same time. Now, as we witness this government, in a less and less democratic fashion as each day goes by, ramming legislation through which is in itself being described as undemocratic — for instance, like Bill 160. The government's rationale — what was one of the things it said? Oh, by changing the rules, more backbenchers will be able to speak to legislation. But the pattern has been that backbenchers don't participate in the debate at all. They don't want their constituents to know where they stand. In the opposition, we urge Tory backbenchers to stand up and speak up and speak out, oh yes, on Bill 61, on Bill 160. Of course, the time-allocation motion is going to mean there is going to be but the briefest of debates.

I join the member for St Catharines in pointing out that this government may well have cut off its nose to spite its face with its rule changes, that it is going to wear those rule changes for a lengthy period of time.

Mr Ruprecht: I have listened to the member for St Catharines quite attentively, and I thought he made an important point when he said —

The Acting Speaker: Order. You participated in the debate, and I am told that you cannot participate in questions or comments.

Mr Bradley: I will quickly respond to the one question and comment that I had from the member for Welland-Thorold, simply to say to him that I appreciate his support for the contention that the government —

Interjection: You can't do that.

Mr Bradley: I was one of the three speakers — that the government in fact has changed the rules of this House to ensure that government bills can get through much more quickly, with a minimum of debate. Now, if you were a corporation president, you might well want to run things that way, and perhaps that's the way a corporation should be run, but here we're dealing with a democracy and here we want enough time — the member for London North is here. She used to be the education critic for the Conservative Party. I know she would have been beside herself at being relegated to a 10-minute speech on Bill 160,

because with her knowledge of the education system, she would know how important it is to be able to look at all parts of any piece of legislation, analyse them, give a critical examination, and give compliments where the compliments are due.

But the member for Welland-Thorold has pointed out that under the rule changes that none of the editors appeared to be very interested in back in the summer when our reporters here at Queen's Park tried to file stories about this — because they were all really interested in this issue, every one of them. They were coming to us talking to us about rule changes, and when they tried to sell it to their editors, their editors said, "Oh, no, that's an inside-the-beltway, inside-the-House story."

What they didn't look at was the fact that these rule changes affect everybody. That's what I liked the member for Welland-Thorold talking about in his question and comment to me. He understands that the worst thing this government has done so far was to change the rules of this House.

Hon Mr Harnick: On a point of order, Mr Speaker: Is there one more question or comment?

The Acting Speaker: No, it's over.

Hon Mr Harnick: Isn't it four?

Mr Ruprecht: On a point of order, Mr Speaker: I really seek some clarity from the Chair. I don't know what you were told just a minute ago, but it would seem very odd to me that on the one hand you are saying, "You cannot take your two minutes for comments," and on the other hand we've got a speaker who addresses himself to a question from the member for —

The Acting Speaker: Member for Parkdale, please take your chair. It's very clear. I don't have to give you an explanation, but it's very clear: How can you comment on your comments? It's as simple as that.

Mr Kormos: On a point of order, Mr Speaker: I think I understand what the member for Parkdale is getting at. He was a speaker as well. If the member for St Catharines could respond for two minutes, the member for Parkdale should be able to. In view of the fact that —

Interjections.

The Acting Speaker: No, no. I don't want to have an argument. There's no point. It's not the function of the Speaker. The member for St Catharines closed the questions and comments.

1740

ROYAL ASSENT SANCTION ROYALE

The Acting Speaker (Mr Gilles E. Morin): I beg to inform the House that in the name of Her Majesty the Queen, Her Honour the Lieutenant Governor has been pleased to assent to certain bills in her office.

Clerk at the Table (Mr Todd Decker): The following are the titles of the bills to which Her Honour did assent:

Bill 67, An Act to simplify government processes and to improve efficiency in the Ministry of Health / *Projet de loi 67, Loi visant à simplifier les processus gouvernementaux et à améliorer l'efficience au ministère de la Santé*

Bill 99, An Act to secure the financial stability of the compensation system for injured workers, to promote the prevention of injury and disease in Ontario workplaces and to revise the Workers' Compensation Act and make related amendments to other Acts / *Projet de loi 99, Loi assurant la stabilité financière du régime d'indemnisation des travailleurs blessés, favorisant la prévention des lésions et des maladies dans les lieux de travail en Ontario et révisant la Loi sur les accidents du travail et apportant des modifications connexes à d'autres lois*

Bill 102, An Act to improve community safety by amending the Change of Name Act, the Ministry of Correctional Services Act and the Police Services Act / *Projet de loi 102, Loi visant à accroître la sécurité de la collectivité en modifiant la Loi sur le changement de nom, la Loi sur le ministère des Services correctionnels et la Loi sur les services policiers*

Bill 112, An Act to observe two minutes of silence on Remembrance Day / *Projet de loi 112, Loi visant l'observation de deux minutes de silence le jour du Souvenir*

Bill 115, An Act to reduce red tape by amending or repealing certain statutes administered by the Ministry of Finance and by making complementary amendments to other statutes / *Projet de loi 115, Loi visant à réduire les formalités administratives en modifiant ou en abrogeant certaines lois dont l'application relève du ministère des Finances et en apportant des modifications complémentaires à d'autres lois*

Bill 128, An Act to amend the Family Law Act to provide for child support guidelines and to promote uniformity between orders for the support of children under the Divorce Act (Canada) and orders for the support of children under the Family Law Act / *Projet de loi 128, Loi modifiant la Loi sur le droit de la famille pour prévoir des lignes directrices sur les aliments pour les enfants et pour promouvoir l'harmonisation entre les ordonnances alimentaires au profit des enfants rendues en vertu de la Loi sur le divorce (Canada) et celles rendues en vertu de la Loi sur le droit de la famille*

Bill 136, An Act to provide for the expeditious resolution of disputes during collective bargaining in certain sectors and to facilitate collective bargaining following restructuring in the public sector and to make certain amendments to the Employment Standards Act and the Pay Equity Act / *Projet de loi 136, Loi prévoyant le règlement rapide des différends lors des négociations collectives dans certains secteurs, facilitant les négociations collectives à la suite de la restructuration dans le secteur public et apportant certaines modifications à la Loi sur les normes d'emploi et à la Loi sur l'équité salariale*

Bill 158, An Act to amend the Education Act to allow non-resident owners or tenants of residential property to

vote for members of district school boards and school authorities / *Projet de loi 158, Loi modifiant la Loi sur l'éducation en vue de permettre aux propriétaires ou locataires non résidents d'un bien résidentiel de voter lors de l'élection des membres des conseils scolaires de district et des administrations scolaires*

Bill Pr65, An Act respecting the City of Hamilton

Bill Pr78, An Act respecting the City of Scarborough

Bill Pr84, An Act respecting Japanese Canadian Cultural Centre

Bill Pr87, An Act respecting the Korean Canadian Cultural Association of Metropolitan Toronto

Bill Pr90, An Act respecting the City of York.

GOVERNMENT PROCESS
SIMPLIFICATION ACT
(MINISTRY OF THE
ATTORNEY GENERAL), 1996
(continued)

LOI DE 1996
VISANT À SIMPLIFIER LES PROCESSUS
GOUVERNEMENTAUX AU MINISTÈRE
DU PROCUREUR GÉNÉRAL
(suite)

The Acting Speaker: We will now continue the debate. It's third reading of Bill 61, An Act to simplify government processes and to improve efficiency in the Ministry of the Attorney General. Not Bill 160; it's Bill 61.

Mr Kormos: Thank you very much, Speaker, for initiating or opening this whole business — this is Bill 61. I appreciate that. I am entitled to an hour to speak to this. I appreciate, as I indicated earlier in my response to the comments of the member for St Catharines, Mr Bradley, that it's a relatively benign bill, 13 pages long. It will, I'm sure, receive the support of all of the members of the Legislature. I figure I may stray three times over the course of an hour, so I put this to you, Speaker: If we could deem for you to have admonished me three times, it would save a whole lot of time and you could just stay seated and I'll apologize three times in advance for having strayed.

In fact folks, I'm sure, have been watching the legislative channel today, always in huge numbers and I'm sure in even greater numbers today. I appreciate that it's a little difficult to hear me, but the noise from the thousands and thousands of demonstrators outside — teachers, students, family members, parents, ratepayers, grandparents — there are thousands of folks out there speaking, singing together, bemoaning and fearing the attack on public education that's in Bill 160, as compared to 61, which is what we're dealing with here.

There was such a high level of anticipation of what was going to happen in the Legislature today. Yesterday, for instance, down in Welland, I was over at the Ukrainian Labour Temple on Ontario Road. It was the 80th anniversary

of the Ukrainian Labour Temple, the first Ukrainian Labour Temple built in this country, back in 1917; first over on Sixth Street, right by the railway tracks, and within a few years they moved it down to Ontario Road, the corner of Beatrice and Ontario Road. It burned down in 1935 and there's still a strong suspicion that it was burnt down by right-wingers.

Mr Gilles Bisson (Cochrane South): Probably these guys again.

Mr Kormos: Well, there's still a strong suspicion that it was arson committed by right-wingers. The Ukrainian Labour Temple and its membership, the Association of United Ukrainian Canadians, was and remains committed to social justice issues, always at the forefront of a struggle for trade unionism. Yes, they had enemies in that community, they certainly did, the chamber-of-commerce types of the day and indeed, quite frankly, the government. You've heard me talk about that and you've heard me talk about them in the context of the Crowland relief workers' strike. The labour temple was a focal point for a whole lot of organization and mobilization of the relief workers.

Again, considering that we're here with 61, I tell you —

Interjection.

Mr Kormos: Quite right. I simply want to put this in some context. The comments I received yesterday by the folks — they had a dinner celebrating the 80th anniversary. They had people there of course from Welland, most of them oldtimers, and a lot of their kids and grandkids. There were folks down from Sudbury. There were people down from Toronto. The folks from Sudbury asked me to say hello to Shelley and I did.

Of course the room was abuzz with today's legislative sitting. These people knew that the House was returning today after a five-week hiatus, five weeks of committees travelling around, of MPPs, at least some of us, spending some time in our constituency offices talking to our constituents.

I know — and I know I speak for my colleagues as well, all of them — that a whole lot of time was spent talking with teachers and groups of teachers. Some time was spent on picket lines marching with teachers and walking with them side by side, sharing their fear —

Mr Wettlaufer: During an illegal strike.

Mr Kormos: A heckler from the Tory rump here once again reiterates "illegal strike." Judge MacPherson made it quite clear in response to that well-crafted application for an injunction by our Attorney General —

Mr Bisson: The Attorney General, author of 61.

Mr Kormos: The bill is sponsored by the Attorney General. When we're talking about Bill 61 and we're talking about the bill coming before this Legislature for its consideration and we recognize that it's sponsored by the Attorney General, we're reaching the point where it's impossible not to talk at least a little bit about the Attorney General, because the folks at the labour temple yesterday sure had a lot to say about the Attorney General.

Mr Bisson: What did they say?

Mr Kormos: I'm not going to repeat it. You would find much of it to be unparliamentary, Speaker. You would find much of it to offend long-standing rules of this Legislature. But you know exactly what I'm talking about. I don't have to say the words, because you and folks watching know exactly what it means when I say that what people were saying about the Attorney General yesterday, those members of the Association of United Ukrainian Canadians over at the Ukrainian Labour Temple on Ontario Road in Welland, when I tell you that they would be deemed to be unparliamentary. Again, one doesn't have to use one's imagination.

As I say, there was a great deal of apprehension about what was going to happen in the Legislature today. A whole lot of people who maybe at other points in time wouldn't have been inclined to tune to the legislative channel are certainly tuned to it today. Those who are fortunate enough to be working, as compared to the 10% of unemployed in the province, if they were working a day shift, are going to be tuning in to it on the reruns tonight. They expected to hear something other than Bill 61 being debated. You know that. It's trite to indicate that to you. We only found out late this morning when the House leaders met. That's how it happens. A government House leader has the power to call whatever bill he or she wants to call. That's the nature of the beast — not an inappropriate reference at all.

1750

Of course Bill 160 is in committee. There's no time allocation motion on Bill 61. I anticipate that a whole lot of members may well want to debate its content, a whole lot of Tory backbenchers, now that the rule changes have given them the opportunity. That was the rationale for the rule changes, so that Tory backbenchers could have their — I was going to say 15 minutes of fame, but no, it's only 10, because that's what backbench speeches were reduced to, a mere 10 minutes. The rationale that was used was that not enough of these Tory backbenchers were being given the opportunity to participate in debate. The rules changed. You bet your boots they changed. But where are the Tory backbenchers? I'd dearly love to hear what they have to say — yes, about Bill 61.

Mr Bisson: Did you hear about Trevor Pettit?

Mr Kormos: No.

Mr Bisson: He condemned the Premier.

Mr Kormos: Trevor Pettit is the member for what riding? Hamilton something — Hamilton Mountain. I'm told, it could be inaccurate, that he condemned the Premier today. I'm told the member for Hamilton Mountain was concerned about the centralization.

You heard it in question period today. You heard the references to Bill 61, just as you heard references during the course of the debate this afternoon to Bill 61. You also heard references to a style of governing that is Kremlin-like. The leader of the New Democratic Party said, "Look, it didn't work in the Soviet Union." Why would any Tory backbencher think that the Stalinist style of this government, that highly centralized, top-heavy, that abolition of

grass-roots, democratic control, of democratic governance, if it didn't work for Joseph Stalin —

Mr Wettlaufer: On a point of order, Mr Speaker: Calling any government in a democracy "Stalinist" betrays a total lack of understanding of history. I'm a history graduate myself, and I studied what led to the Russian Revolution —

The Acting Speaker: You don't have to go too far. Please take your chair. I'm inclined to agree with you. There's no point in using epithets or comments that are not appropriate, and I would ask the member for Welland-Thorold to be very careful. Also, I would like to remind you that the bill we're debating is Bill 61. You talked about admonishment. That's the first one. Now I want you to talk on Bill 61, nothing else but Bill 61.

Mr Kormos: I've got to tell you, a radio interview this morning with a University of Windsor law professor, repeated on CFRB, subsequent comments with CFRB, I won't repeat what that University of Windsor law professor said about the nature of this government's legislation and about which totalitarian regime he compared it to as a law professor, because undoubtedly Mr Wettlaufer —

The Acting Speaker: You have not listened to what I just said. Please debate Bill 61; that's all, nothing else but Bill 61.

Mr Kormos: Thank you kindly, Speaker. I appreciate the direction, I do. I understand that your job is very difficult, and I understand that I've made a commitment to speak to a 13-page bill for an hour, indicating that the amendments it makes to a number of pieces of legislation are amendments that are going to be supported, amendments that, as I'm told by Ms Boyd, the member for London Centre, several of them, have their origins in, heck, the last government. As I say, I understand how difficult your job is. Speaker, you've got to understand how difficult it is for me to speak for an hour on a 13-page bill which contains benign, innocuous amendments to acts which the general public has little affinity with, little interest in, unless and until it impacts on them.

I suppose one of the things that's of interest here is what it permits architects to do, and that it makes architects eligible to impose what are now called construction liens; they used to be called workmen's liens back in days gone by. It permits architects and their employees to file liens against properties. Again, I can't think of anybody who would in any way find that objectionable.

Indeed, the amendments to the Charities Accounting Act — you heard the member for St Catharines refer to that — are designed, as the annotations to the bill say, to simplify procedure.

I could go on. The Loan and Trust Corporations Act is being amended; the Public Guardian and Trustee Act; the Victims' Right to Proceeds of Crime Act.

Victims' rights raises a whole new broad horizon here for the purposes of debate, but I'm going to save that because obviously, you see, we're not going to —

Interjection.

Mr Kormos: No, we're not going to get finished with my contribution to this debate today. I was overwhelmed, as I told you yesterday, by the anticipation of the focus of the Legislature being on Bill 160 today. I was. I was over at the Ukrainian Labour Temple. Now that we are here with Bill 61 — and I've tried to explain, not to you, because you know, but to folks who are inclined to tune in to watch, to listen, because they're interested and deathly afraid about what's happening in their Ontario. Here we are. Do you know how difficult it is, Speaker, to speak to empty galleries, to speak in a chamber to which the public has been denied access? The doors have been locked, bolted and barred to the public of Ontario. This is a sad day.

I agree we're debating Bill 61, but surely some note can be made that even during a debate about Bill 61, this legislative chamber is closed to the public of Ontario. The public are being turned away, the galleries are empty, not because people don't want to be there but because today public access to this chamber was locked, bolted and barred. Oh, there had been a heckler, a protest, not about Bill 61, which we're debating now, but during the course of question period there had been an expression of concern about Bill 160 and what it does to public education. Then there was a second and, yes, there was a third.

I know there were folks up there who were tourists from northern Ontario, and some American tourists undoubtedly. Ontario had a reputation of being a demo-

cratic community. Those folks from the States who came up here to Queen's Park today and sat in the gallery who were summarily forced out, tossed, when Queen's Park was shut down to the public on November 17, 1997, the day of the debate over Bill 61 —

Hon Dianne Cunningham (Minister of Intergovernmental Affairs, minister responsible for women's issues): On a point of order, Mr Speaker: I certainly agree with the member for Welland-Thorold that we want an open Legislative Assembly and that democracy prevails and that we're very proud here in Ontario, but we certainly have rules at this Legislative Assembly. To say that they were locked out is not correct. I mean, there are rules, and if you break the rules, you're asked to leave.

The Acting Speaker: This is not quite a point of order. It has nothing to do with procedures of the House.

Mr Gerretsen: On a point of order, Mr Speaker: I think it ought to be said, though, that there were 100 people here. Three of the people made noises, and the other 97 were asked to leave as well.

Mr Wettlaufer: Mr Speaker, on a point of order —

Interjections.

The Acting Speaker: Order. It being 6 of the clock, this House stands adjourned until tomorrow afternoon at 1:30.

The House adjourned at 1801.

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Cleary, John C.	Cornwall	L	
Clement, Hon / L'hon Tony	Brampton South / -Sud	PC	Minister of Transportation / ministre des Transports
Colle, Mike	Oakwood	L	
Conway, Sean G.	Renfrew North / -Nord	L	
Cordiano, Joseph	Lawrence	L	
Crozier, Bruce	Essex South / -Sud	L	
Cullen, Wayne	Ottawa West / -Ouest	L	
Cunningham, Hon / L'hon Dianne	London North / -Nord	PC	Minister of Intergovernmental Affairs, minister responsible for women's issues / ministre des Affaires intergouvernementales, ministre déléguée à la Condition féminine
Curling, Alvin	Scarborough North / -Nord	L	deputy opposition House leader / chef parlementaire adjoint de l'opposition
Danford, Harry	Hastings-Peterborough	PC	parliamentary assistant (Agriculture and Food) to the Minister of Agriculture, Food and Rural Affairs / adjoint parlementaire (secteurs Agriculture et Alimentation) du ministre de l'Agriculture, de l'Alimentation et des Affaires rurales

Member / Député(e)	Constituency / Circonscription	Party / Parti	Other responsibilities / Autres responsabilités
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Doyle, Ed	Wentworth East / -Est	PC	deputy government whip / whip adjoint du gouvernement
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Ecker, Hon / L'hon Janet	Durham West / -Ouest	PC	Minister of Community and Social Services / ministre des Services sociaux et communautaires
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Galt, Doug	Northumberland	PC	parliamentary assistant to the Minister of the Environment / adjoint parlementaire du ministre de l'Environnement
Gerretsen, John	Kingston and The Islands / Kingston et Les Îles	L	chief opposition whip / whip en chef de l'opposition
Gilchrist, Steve	Scarborough East / -Est	PC	parliamentary assistant (Municipal affairs – urban) to the Minister of Municipal Affairs and Housing / adjoint parlementaire (Affaires municipales – secteur urbain) du ministre des Affaires municipales et du Logement
Grandmaître, Bernard	Ottawa East / -Est	L	
Gravelle, Michael	Port Arthur	L	
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Hoy, Pat	Essex-Kent	L	
Hudak, Tim	Niagara South / -Sud	PC	parliamentary assistant to the Minister of Health / adjoint parlementaire de la ministre de la Santé
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Member / Député(e)	Constituency / Circonscription	Party / Parti	Other responsibilities / Autres responsabilités
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Marland, Hon / L'hon Margaret	Mississauga South / -Sud	PC	Minister without Portfolio (children's issues) / ministre sans portefeuille (enfance)
Martel, Shelley	Sudbury East / -Est	ND	
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Maves, Bart	Niagara Falls	PC	parliamentary assistant to the Minister of Labour / adjoint parlementaire du ministre du Travail
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Pettit, Trevor	Hamilton Mountain	PC	
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Pouliot, Gilles	Lake Nipigon / Lac-Nipigon	ND	
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Member / Député(e)	Constituency / Circonscription	Party / Parti	Other responsibilities / Autres responsabilités
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Ruprecht, Tony	Parkdale	L	
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Sergio, Mario	Yorkview	L	
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**Assemblée législative
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**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Tuesday 18 November 1997

Mardi 18 novembre 1997

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Honourable Chris Stockwell

Président
L'honorable Chris Stockwell

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 18 November 1997

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 18 novembre 1997

*The House met at 1331.
Prayers.*

WEARING OF GREEN RIBBONS

The Speaker (Hon Chris Stockwell): Can you remove the ribbon, please.

Mr David Caplan (Oriole): Mr Speaker, I seek unanimous consent to wear the ribbon.

The Speaker: The member for Oriole is seeking unanimous consent to wear the green ribbon. Agreed? I heard a no.

MEMBERS' STATEMENTS

EDUCATION REFORM

Mr Alex Cullen (Ottawa West): In all the discussions we've had about Bill 160 and the teachers' protest, it is important to remember that Bill 160 will have some very real impacts on real schools and real communities. By virtue of this government taking over the collection of education property taxes across Ontario, education taxes levied locally for local purposes in Niagara, Halton, Peel, Markham, Ottawa, all the major urban and suburban centres, will be redistributed according to a province-wide formula.

As a result, speaking for my own community in the city of Ottawa, I can tell you that the Ottawa Board of Education is expected to lose some \$50 million out of its \$260-million budget. That is nearly one quarter of its budget. It is estimated that this loss will have to be accommodated by up to 15 school closures, primarily elementary schools, and the possible loss of such programs as vocational schools and middle or late French immersion.

These are programs that are important to the future of our children in Ottawa. These are the real impacts of Bill 160 that will come about in Ottawa-Carleton as a result of this government's power grab and money grab and, I suspect, in many of the urban and suburban school boards across Ontario. It is wrong. It will be a tremendous step backwards in terms of the quality of education these communities have struggled so hard to put into place with their own money.

HEALTH CARE FUNDING

Mrs Marion Boyd (London Centre): I am pleased today to rise on behalf of the Ontario Nurses' Association,

which this morning marched a thousand strong on Queen's Park to deliver to the Premier their vision of health care, which they call the Saving Medicare Plan.

It's really important for us to understand that with the cuts that have happened to hospital funding, the cuts that have happened in many areas of health care and the lack of response on the part of the federal government to put those dollars back into communities, everyone who is working in the health care field is trying to tell this government what the results are.

ONA says that 70.6% of the people who responded to their questionnaire report they have difficulty obtaining needed care; 86.3% report noticing a decline in the quality of health care; 89.3% have noticed fewer and fewer professional care providers in hospitals, nursing homes and community agencies; 41.1% have reported having to look after or pay for the care of an acutely ill relative; and 63.5% have to go to many different places to receive needed care. The professionals in the field of health care, particularly the nurses, have a plan.

Last night in Kitchener-Waterloo the new Minister of Health said that the health ministry lacked vision in the past and that she is going to change that. Well, this government has taken the dollars out of health care and has ordered hospitals closed without vision. We've been trying to tell them that for months.

EDUCATION REFORM

Mr Allan K. McLean (Simcoe East): I have attended meetings and talked to constituents in Simcoe East who are involved and care about Ontario's education system, as have Joe Tascona and Bill Grimmett.

Some sections of Bill 160 caused me concern when I listened to the interpretation of teachers and supporters. It appeared to give the minister enormous power over our education system. I took the opportunity to consult with a lawyer in Orillia for an explanation of these sections and was assured these areas referred mainly to financial responsibilities. In fact, they are basically unchanged from the current education bill of 1990. In the amendments now before the committee, our courts will have final power over any act as outlined in the Constitution.

I have read and studied this bill extensively and find it offensive that students and parents are being fed misinformation. I have grandchildren in the education system, as do many other Ontarians, and as one constituent from Orillia said in her letter this week, "My children deserve quality education, my children deserve attention."

While receiving letters against Bill 160, I am also receiving many letters and phone calls from students and parents who support the education improvement changes that Bill 160 will bring to Ontario's education system.

We need student testing. We need a core curriculum. We need parent councils. We need —

Interjections.

The Speaker (Hon Chris Stockwell): Stop the clock, please. Order. I think it's important that members' statements be heard.

Mr McLean: We need principal and vice-principal involvement. We need to give the students more time with their teachers. We need to cap class sizes. We need to give our students every opportunity to learn to be the best in the world.

HEALTH CARE FUNDING

Mr Gerard Kennedy (York South): Today the Legislature was given a telling reminder that what we're seeing with Bill 160 is just part of a destructive pattern this government has been engaged in for some time. We had a visit from the members of the Ontario Nurses' Association. They filed their plan for saving medicare with the Premier, a plan made necessary by this government. They did that to help fix the harm that has already been accomplished in the health care system by this government.

Let's just look at the parallels between what has been done and what this government intends to do.

The power-grabbing legislation: In Bill 26 they took the power and in 160 they want to do the same.

Making decisions with secret commissions behind closed doors: They did that to hospitals.

Wholesale cuts to programs: They took \$800 million away from hospitals.

Firing dedicated public employees: They did that to nurses and they now want to do it to teachers.

If you add this up, it's a decline in the quality of care. Some 86% of the people surveyed by the nurses say that the quality of care has gone down.

The question for the back bench of this government and for the public of this province is, why would we want to do to the education system of this province and to the children of this province what Harris has already done to the health care system?

Shame on this government if it can't recognize the damage it has already done, using the exact same pattern. It wants to repeat that with Bill 160 on the education system.

1340

EDUCATION REFORM

Mr David Christopherson (Hamilton Centre): I am pleased to take this opportunity to express the fact that my leader, right now as we speak, along with my colleague Tony Martin from Sault Ste Marie, are now at the Mowat Block joining Dwyer Sullivan in a show of solidarity from

our caucus, as Howard Hampton leads our caucus in continuing the fight against Bill 160. The teachers have done their bit. They went out there and showed great courage and a great amount of principle and a great deal of concern for the children, which sure is a hell of a lot more than this government is showing with their bill.

The fact of the matter is, Speaker, that notwithstanding your ruling, which you have the right to make, wherever we can and however we can we will continue to fly the colour of the apple-green in support of the protest against Bill 160. We saw teachers here yesterday along with parents, after work, in the cold, by the hundreds, by the thousands, surrounding this place.

There are schools and public buildings all across Ontario that are flying the apple-green ribbons in a show of protest against this government. Even Peter Kormos is wearing a tie. That's how much this matters. That's how important it is. In the closing seconds I want to urge everybody who cares, every citizen: Fly the colour. Show you care. Take them on.

MAJOR SAMUEL JOHANNES HOLLAND

Mr Joseph N. Tascona (Simcoe Centre): In October in Bradford West Gwillimbury I had the opportunity to help unveil a plaque in honour of Major Samuel Johannes Holland.

In 1764 Captain Holland became the surveyor general of the northern district of North America, with instructions to survey all British possessions north of the Potomac River. In 1790 the British government's decision to make land grants to loyalists after the American revolution made it necessary for Major Holland to accelerate the survey of the vast tracks of land destined to become Ontario.

His surveying of this region enabled a log road to be built after his death. This log road grew to be Yonge Street, which became an artery connecting not only towns and cities of my riding, but of many communities of Ontario.

Holland's cartographic skills and his systems of rapid surveys that he used in mapping the wilderness helped Ontario as well as Simcoe county to be settled in an effective and imaginative fashion.

At this time I would like to thank all the volunteers whose work led to the commemorative plaque that now honours a man whose dedication and skills assisted in the growth of Canada from the Atlantic provinces to Upper Canada. His foresight and considerable technical skills ensured a strong tradition of cartography in Canada.

EDUCATION REFORM

Mr Dominic Agostino (Hamilton East): I would like to read to the House a number of statements about Bill 160. I quote, "I have a big problem giving all the power of education not just to this Premier but to any Premier that may follow." Who said that, the head of a teachers' federation? No. Teachers? No. Opposition? No. Trevor Pettit, the member for Hamilton Mountain.

Let me give you another quote, "I feel misled over a number of things." Again, was it a teachers' federation? No. Teachers? No. Students? No. Who said it? Trevor Pettit, member for Hamilton Mountain.

It gets better. Let me quote again, "I have a problem giving any one person, whether it be Premier Harris or anyone else, control over the whole system." Again, not a teachers' federation, not teachers, not the member across the floor who's heckling, but who said this? Toni Skarica.

Very clearly, all is not well in the Tory caucus. As much as the Premier and his whiz kids and all the hacks want to come down and hammer your backbenchers, you are losing control of this agenda; you are losing this fight. You haven't been listening to the teachers. You have ignored parents. You have ignored students. You have ignored the opposition. You now have a caucus revolt.

Let me tell you, the smug backbenchers that are standing there smiling and heckling: You are going to be challenged for nominations by teachers across this province. They are not going to give you a chance to come back to Queen's Park. They will beat you on your turf, in your backyard. You are going to pay one hell of a political price for what you've done to teachers and to students. I tell the wimps across the floor: Face the teachers —

The Speaker (Hon Chris Stockwell): Thank you. Member for Riverdale.

Ms Marilyn Churley (Riverdale): I want to congratulate John Silva, Steve Moore, William Payne and Dwyer Sullivan, who have all gone to Minister Johnson's office to protest Bill 160, taking risk with their own health and sitting there because the minister refuses to listen to the hundreds of thousands of teachers and parents and others across this province who support public education. They have done a good deed for all of us in this province and we want to thank them.

Indeed our leader, Howard Hampton, and the member for Sault Ste Marie, Tony Martin, are over there right now speaking with Mr Sullivan to ask about what other things we can be doing to stop this bill, and to also bring Mr Sullivan some food, because as you know he's been deprived of food and other supports while he's been there.

I have thousands of petitions here, as do all my colleagues. There are hundreds and thousands of petitions across this province.

When I continue to hear this Premier — Premier Harris — in his despicable, disgusting ads, which cross a very fine line in this province in fairness in our democracy, blame it on the union bosses and the union leaders, I want to make it clear that the hundreds of thousands of people in this province have a mind of their own and that's whom we're listening to.

WIFE ASSAULT PREVENTION MONTH

Ms Marilyn Mushinski (Scarborough-Ellesmere): I am pleased to rise in the House today to speak about a very important issue. This is, as you know, Wife Assault Prevention Month, a commemoration launched by my colleague the minister responsible for women's issues on

November 4 at the Barbra Schlifer clinic in downtown Toronto.

As we all know, wife assault is a crime. As political leaders, as citizens of this province, as human beings, we must all act to end the violent assault of women in their own homes by their own partners. Our government is committed to that goal, and promotes community-based services and solutions through nine ministries and more than 30 programs dedicated to violence prevention. Those services, for the thousands of women and children who need help, are very much community efforts.

I was pleased that as part of her activities for Wife Assault Prevention Month, the minister was able to join me on a visit to the Scarborough Women's Centre. Together we talked with front-line workers and the women who are breaking free of the cycle of domestic violence. They told us that support from their community and from the government are essential if they are to rebuild their lives.

I know all members of the House will join me in honouring these women — these survivors. I urge each of us to accept a personal responsibility to end violence against women and their children.

MOTIONS

INTEGRITY COMMISSIONER

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): I seek unanimous consent to put a motion to appoint the Integrity Commissioner under our integrity act.

The Speaker (Hon Chris Stockwell): Agreed? Agreed.

Hon Mr Sterling: I move that an humble address be presented to the Lieutenant Governor in Council as follows:

"We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of Ontario, now assembled, request the appointment of Mr Justice Robert C. Rutherford, as Integrity Commissioner, as provided in section 23 of the Members' Integrity Act, 1994, SO 1994, chapter 38, to hold office under the terms and conditions of said act commencing December 1, 1997."

1350

Mr James J. Bradley (St Catharines): There are times in the House, though they are few these days, where there is unanimous agreement on an initiative that is brought forward by the government. This is one where there is agreement. We are pleased to see the appointment of Mr Justice Robert Rutherford as the Integrity Commissioner in the province of Ontario. He brings to this position an outstanding public service record, an excellent reputation on the bench, and we believe he will fulfil the duties and responsibilities of the Integrity Commissioner in the manner in which all members of this Legislature and the people of Ontario would want to see those duties carried out.

It is indeed an extremely important position. The public perception of those in public office isn't always what we would like it to be. The establishment of the Office of the Integrity Commissioner and the rules and responsibilities under which he operates are extremely important to the people of this province because he looks at the integrity of the members in terms of the holdings they have, in terms of their actions as members of the Legislature and any conflicts which may arise as a result of personal and private actions and investments and so on, compared to carrying out the responsibilities of public office.

We are in full support of Mr Justice Rutherford assuming this position. We wish him well in this position and we offer our full cooperation.

Mr Bud Wildman (Algoma): On behalf of our caucus I want to briefly state that we also are in support of the appointment of Mr Justice Robert Rutherford to the post of Integrity Commissioner and that we support the motion brought forward by the government House leader.

There has been considerable discussion about the role of the Integrity Commissioner, particularly as it relates to some of the initiatives this government has said it wishes to move forward with. The suggestion has been made, and we agree, that if there is to be any major contracting out or privatization of government agencies, facilities or services, there must be some process in place for ensuring that senior members of the civil service who might leave their employ here can ensure that there are proper protections to prevent conflicts of interest. We support the suggestion that these changes will proceed and Mr Justice Rutherford will play this role.

As we understand it, Mr Justice Rutherford is a very well respected jurist. He has served long on the bench, with great integrity, and has tremendous respect from his colleagues and the members of the legal profession as well as widely held respect in the community. Mr Justice Rutherford served on the Somalia inquiry and is well known for his abilities and his understanding of the complexities and delicacies of some of the issues with which he will be dealing.

For those reasons we join with the Liberal Party and the Conservative government in supporting the nomination and appointment of Mr Justice Rutherford to this very senior and important post, which is of particular importance to all members of the assembly as we ensure that there is proper integrity in all activities around this place.

Hon Mr Sterling: I want to thank the opposition parties for consulting with us and reaching an all-party consensus on the appointment of Mr Justice Rutherford as our new Integrity Commissioner. As you know, he will be our second Integrity Commissioner in this province. Our first Integrity Commissioner, the Honourable Judge Greg Evans, is retiring. On behalf of the Legislature I would like to express to him our thanks for his diligent duty and the tremendous service he paid to this Legislative Assembly and the people of Ontario.

It has been mentioned that Mr Justice Rutherford was a member of the bar of Ontario, he was a justice of the

Supreme Court of Ontario and member of the High Court of Justice for Ontario since June 1976.

I also add that he served as a tank commander with the Royal Canadian Armoured Corps during the Second World War. As I go through the next few weeks, I may be calling Justice Rutherford for advice with regard to getting business through this House.

The Legislature will be looking to his leadership not only with regard to the duties performed by the former Integrity Commissioner, but we would expect that his role will be enhanced in the future to deal with such matters as the House leader for the third party has mentioned and additional duties with regard to the behaviour of not only the members of the Legislature but also the staffs of those members.

We welcome him, we will work with him and we will ensure that he will be able to follow in the footsteps of his predecessors and continue to serve the people of Ontario in the highest possible regard.

The Speaker (Hon Chris Stockwell): I'd like to take the opportunity to introduce the Honourable Robert C. Rutherford in the Speaker's gallery. Welcome and congratulations.

Shall the motion carry? Carried.

WIFE ASSAULT PREVENTION MONTH

Ms Marilyn Churley (Riverdale): On a point of privilege, Mr Speaker: I would like to ask for unanimous consent for an all-party statement on Wife Assault Prevention Month, which is the month of November. So far the government has done nothing on this issue. Yesterday they said they would do it today.

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): On a point of order, Mr Speaker: I would like to point out that the member for Scarborough-Ellesmere, during her member's statement, made a statement on this. The minister made a statement on this. I might also add that the tradition of this House has been for these kinds of statements to be very supportive, as we are, of this particular event. However, there has been an understanding and a tradition in this House that we would not stoop to petty partisan politics when making these statements.

Ms Frances Lankin (Beaches-Woodbine): Oh, you say it's petty; petty, when women are out there and not getting the help they need. You call that petty?

The Speaker (Hon Chris Stockwell): Order. Member for Beaches-Woodbine, come to order, please.

Mr David Christopherson (Hamilton Centre): Yesterday you said it was for today. You've got no integrity at all.

The Speaker: Member for Hamilton Centre. Government House leader.

Hon Mr Sterling: The tradition of this House has been that there would be general support of the Legislative Assembly by all three parties on unanimous consent. I asked the third party if they would hold to this tradition.

They have said they will not hold to that tradition. Therefore, I would deny consent on this.

The Speaker: If you'd take your seats, I'd appreciate it. I have a request for unanimous consent. I want to put the unanimous consent to see if it's going to carry or not. If it does carry, then I'll hear your points of privilege. Really, unanimous consent is unanimous consent; it's either going to carry or not. There aren't a whole bunch of points of privilege beyond that. Let me put the unanimous consent first and see.

The member for Riverdale is seeking unanimous consent. Agreed? No, it did not carry.

Mrs Lyn McLeod (Fort William): On a point of order, Mr Speaker: I rise as the critic for women's issues for our caucus. It was certainly clear to me yesterday, at least I believed it was made clear —

The Speaker: Member for Fort William, I appreciate what you're saying, but as I said earlier, this is not for this place to be debating; this is for the House leaders to discuss, but you know what? I'm not able to tie anybody to anything they said yesterday with respect to unanimous consent. I will give you a brief comment, but it isn't in order, with great respect.

1400

Mrs McLeod: If you will hear me out for a moment please, I think the government House leader today put a totally different complexion on this. There was a general understanding, at least it was my understanding — I came prepared today for what I expected was a government proposal that I understood both the Premier and the minister had agreed to — that we'd be speaking to this today.

The government House leader today has suggested that we would not be having unanimous consent to speak on this issue because we were not following what he described as a tradition of this House.

The Speaker: Member for Fort William, it isn't a point of order. With great respect, it's not a point of order. The member for Riverdale rightfully stood in her place on a point of order and asked for unanimous consent. The government House leader rose in his place and spoke what he felt was his response to the request. I put the unanimous consent; it didn't carry. I appreciate what you're saying, but there's nothing out of order at this point for me to even rule on.

Mrs McLeod: — anybody on this side of the House is prepared to raise a point of order.

The Speaker: I didn't hear completely what you said, but you know what? Unanimous consent is quite simple. If any member decides not to give consent, there's no unanimous consent.

Member for Riverdale, briefly.

Ms Churley: Actually, a point of order, and I think this is a legitimate point of order: When the government House leader spoke, he said that the member for Scarborough-Ellesmere made a statement about Wife Assault Prevention Month in the 90-second statement that all members had, and he seemed to be implying that was the government's way of —

The Speaker: Member for Riverdale, I appreciate what you're saying, but there's nothing out of order right now. You're standing on a point of order. There's nothing out of order. I appreciate the point you're trying to make, but the point is this: I sought unanimous consent, which you requested me to do; I didn't get it, so there's nothing out of order.

Ms Lankin: Mr Speaker, on a point of order: I understand your ruling and I'm not questioning your ruling. You put a question to the House and there was not unanimous consent.

I want to indicate, however, that in response to the member's request for unanimous consent, you didn't simply put the question. In fact, the government House leader stood and made a statement with respect to this issue, in particular commenting and reflecting on comments made earlier as the government's position and referring to anything that we might be saying as petty, partisan politics. He in fact has made a statement, and I believe at this point in time he imputed motive as well with respect to what we may say. I think at this point in time it is only fair, given that he has made a statement, that the two opposition parties be given an opportunity to respond on this very important issue.

The Speaker: Member for Beaches-Woodbine, if I can respond to what you just said, and I want to give you this point of order, with great respect, the member for Riverdale started this out not by simply requesting unanimous consent. She made comment with respect to the kind of unanimous consent she was requesting and made comment on the government's position with her request for unanimous consent. That started the ball rolling. It's very difficult for me to cut off one member who is seeking that when the opposite side wants to make the same kind of point with respect to unanimous consent.

I appreciate your point of order, but it wasn't simply standing in her place and seeking unanimous consent; there was political content there. I did my best to cut it off. It's very difficult once that process begins. Once I seek unanimous consent, it's over and there's nothing any longer that's out of order. I appreciate the point you're making, but there's nothing out of order any longer.

Mr Bradley: On a point of order —

The Speaker: Okay, but I'm trying to point out to the members for St Catharines and Riverdale there's nothing out of order on this issue. There's no point in standing up any longer on a point of order. There is nothing —

Mr Gilles Pouliot (Lake Nipigon): There's another point of order.

The Speaker: Then I will hear finally the member for Riverdale's point of privilege.

Ms Churley: Mr Speaker, I have a point of privilege. I would then ask you to ask the government House leader to withdraw his comment suggesting, imputing motive, that I was going to stand up and make petty, partisan points. I want an apology.

The Speaker: I heard what you said, and I know that you're fully aware that any member may withdraw any comments they make. What he said wasn't out of order; it

may have been politically exciting, it may have caused this House some disruption, but it wasn't out of order. I can't ask him to withdraw. If he would like to withdraw, he may withdraw, but there wasn't anything unparliamentary about it.

Mr Bradley: On a point of privilege, Speaker: Yesterday I thought that when the House leader gave an undertaking he said we were going to deal with this matter today. That's why everybody's prepared for this. At the House leaders' meeting I thought there was an agreement that we would deal with it today.

The Speaker: I've got to tell you, member for St Catharines, it's not up to me to start interpreting House leaders' agreements. I can't do it.

Interjections.

The Speaker: Can I ask the member for Oriole to take that box down, please. Thank you.

GOVERNMENT ADVERTISING

The Speaker (Hon Chris Stockwell): I ask the indulgence of the House.

Yesterday, the member for Algoma (Mr Wildman) and the member for St Catharines (Mr Bradley) raised a matter of privilege relating to advertisements sponsored by the government that address issues concerning Bill 160 and the recent province-wide work stoppage by teachers.

Both members asserted that the advertisements convey their messages in highly partisan terms, to the extent that the ad campaign amounts to an unfair and abusive use of public funds, funds that are not available to all sides in this House.

Because of the alleged advantage taken of this uneven distribution of opportunity, it was asserted by the members that their privileges had been breached.

The members for Cochrane South, Fort William, Scarborough-Agincourt and the government House leader also made submissions. I have carefully reviewed those comments and the materials that were provided to me.

I want to say that this point of privilege revolves around an issue that is not new to this chamber. Government advertising has increasingly been a source of concern and complaint for members ever since it has been embraced by governments of the day as a method of communicating with the general public. Indeed, the members who spoke to this point have all been members of governments that have themselves been subject to the very complaint that underlies this very point of privilege.

Privilege, as set out in our standing orders and in the parliamentary texts, is a very special thing. Its essence is that each of us has the right to be here, in this chamber; to speak to and vote on the issues of the day; to be free from intimidation or obstruction in doing our parliamentary work; for the assembly to be free from contempt, and to have those privileges protected.

As your Speaker, I must determine, if asked to do so, if any member's entitlement to these very extraordinary parliamentary benefits has been threatened, or if the proceedings of the Legislature have been reflected upon or

presumed in a manner that amounts to a contempt of the House.

This is a very imposing duty, but it is also a very imposing test.

The test for a successful case of privilege must surely be: "How does the event or activity aggrieved of prevent either the member, or Parliament itself, from performing its functions? Or, does this activity call the assembly and its honour and integrity into disrepute?"

In the case at hand, does the ad campaign complained about impede any of us, as MPPs, in our functions? Does the campaign call the role of the Legislature into question, or criticize it, or anticipate it?

In my view it does none of these things. The ads may represent an aggressive challenge to opposing views put forward by others, but I do not believe they caused any of us to come here without the uncontested ability to continue the debate on this issue, nor can it be argued that the respect due to this House is diminished by the wording of the ads. Therefore I find that a *prima facie* case of privilege has not been made out.

Before concluding, I wish to make an observation.

On previous occasions, I have expressed concern about the nature, tone and propriety of advertisements or similar distributions made by this government. I continue to hold these reservations and strongly encourage this and any future government to consider the power and influence that you wield when you send these messages to the broad public.

1410

ACCESS TO PUBLIC GALLERIES

The Speaker (Hon Chris Stockwell): I ask for the indulgence of the House to allow me to make a brief statement respecting the public galleries.

Members of the public have an opportunity to observe first hand the legislative process by attending the public galleries. This attendance though is contingent upon compliance with the rules as clearly outlined on the gallery passes. For example, one such rule states: "Demonstrations are not permitted in the building including the galleries. This includes the display of signs, banners, buttons or other activities." Another says, "Visitors must refrain from applause or making any interruption or disturbance." There is no ambiguity about what is acceptable and unacceptable behaviour. The gallery is not a place for demonstrations or protest.

As stated in my earlier ruling, the essence of parliamentary privilege is that members must be free from intimidation or obstruction in doing our parliamentary work, and members have the right, and I want to emphasize that, to have these privileges protected, on both sides of the House. When the public in the galleries cause disruptions, they impede the progress of business in this House and in extreme cases offend the privileges of members. It is my role to protect those privileges and it falls to me to remedy these situations when they occur.

Public causing disruptions from the galleries will be asked to leave. In the case of an individual standing and yelling out, he or she is asked to leave and the gallery is cautioned. However, when it appears that such individual outbursts are part of a larger demonstration, I am sure members can appreciate that there is a limit to the number of cautions that can be reasonably given before the entire gallery must be cleared.

Demonstrations are certainly part of the democratic process of this province, and I have encouraged and accommodated these demonstrations outside the building, on the front lawn of this Legislature. I have done so. But inside this place, protest and demonstration are completely unacceptable. This chamber is a forum for considered debate, and the public gallery the place from which to observe that debate.

GOVERNMENT ADVERTISING

Mr James J. Bradley (St Catharines): On a point of privilege, Mr Speaker: We of course accept and respect your rulings, recognizing that they're based upon the rules of this House and the jurisdiction you have. Whether we agree with the content is another matter. We certainly respect your ruling in this regard. However, you have drawn to the attention of members of the House —

The Speaker (Hon Chris Stockwell): Is this a point of privilege?

Mr Bradley: A point of privilege.

The Speaker: And it springs from?

Mr Bradley: It springs from the previous ruling.

The Speaker: Because I'm supposed to receive it in writing an hour before the House —

Mr Bradley: It's just a point of order, then.

The Speaker: Okay, a point of order.

Mr Bradley: If you want that, it'll be a point of order that I'm raising. I simply am looking at what you have said as Speaker; not pointing at any specific government, you have pointed out that there is a problem. But, Mr Speaker, I think even the most neutral persons, even some who agree with policies of this government, must recognize that in this last set of ads, of which I have the transcript, the government has crossed the line.

In my 20 years in this Legislature I have never seen ads of this nature. I believe this House must take action and I hope you will provide us with more guidance on how we can take action to put an end to these vitriolic attack ads against people who have paid for these ads themselves.

The Speaker: It's not up to the Speaker to suggest a mode for resolving this issue, if there is an issue to be resolved. Again, it's up to the House leaders in this House if they believe it needs to be addressed.

Mr Bud Wildman (Algoma): Speaker, I would like to raise a point in regard to the comments you've just made in response to my friend from St Catharines on your first ruling. I also have a matter to raise with regard to the second ruling, for clarification.

In regard to the first ruling on government advertising, you have clearly made your ruling but you've also

expressed once again personal reservations and concern about the tone of government advertising and the use of taxpayers' money.

This is, as you've said, not the first time such an opinion has been expressed by the Speaker about advertising by the government. It would seem to me reasonable, and I hope all members of the House would agree, that this is a matter grave enough and serious enough that it should be considered by the House. I ask unanimous consent that the matter of government advertising of this sort, attack ads of this sort, be referred to the Legislative Assembly committee for consideration.

The Speaker: The member for Algoma is seeking unanimous consent to refer that matter to a committee of the House. Agreed? No. I heard a no.

ACCESS TO PUBLIC GALLERIES

Mr Bud Wildman (Algoma): Mr Speaker, with regard to your ruling about the galleries and attendance in the galleries and the clear rules against demonstrations from the gallery, I want to ask for some clarification in relation to the exchange that took place here in the assembly yesterday in which you, after some considerable controversy, made it clear what your position was and cleared the galleries.

I am looking at Hansard of November 17, Speaker, and on page 13009 you stated: "I say to all members, if you've been here at any time, I allow for three times" — that is, three interventions and warnings. "Once, I've warned them," and then referring to the immediate situation, " — I did warn them after the second, that another time and I would clear the galleries. If you want to check Hansard, you can."

As a result of your direction, I did check Hansard. Further on you repeat, "Three times I warned them I'd clear the galleries." Then on page 13010 you again say, "And it was the third interruption." Then you repeat what your ruling is: "I've lived by the rule. I gave three warnings. I cleared the gallery. That's as simple as it gets."

You were referring to the decision to clear the galleries where you said previously: "This is the third one. Can you clear the galleries, please? Clear the galleries."

The Speaker (Hon Chris Stockwell): Member for Algoma —

Mr Wildman: Mr Speaker, I would just like to refer to one other matter and then I will sit down.

The Speaker: Thank you.

Mr Wildman: I have searched through the Hansard. The only other reference I can find is on page 13005, where you say: "Order. I caution the gallery that it's not in order to speak or applaud. Please don't do that." You did not warn them at that time there could be an ejection from the galleries, and in the intervening pages, from 13005 to 13009, there is no reference by you or anyone else.

The Speaker: I appreciate that. I've got to tell you that I know there were three interruptions from the gallery. If I didn't get on the record one of those times about caution-

ing the gallery, then I didn't get on the record. I did caution the gallery twice.

If Hansard didn't get the second time, I don't know what to say. I checked with the table clerks and others. I did caution them and it was three interruptions. Even at that point, if I made the mistake, and I'm not saying that I couldn't have — I would apologize to the members of the House if I made a mistake.

Mr Gilles Pouliot (Lake Nipigon): That won't bring them back.

The Speaker: Member for Lake Nipigon.

I think I've been fairly clear in this ruling. I'm not clearing the House just for any reason at all. I do take great pains to try and maintain decorum and order. I would say to the member for Algoma, in future I will try to keep track of the three warnings, but if it's complete bedlam I'm not going to give three warnings. Let me be clear: one warning, maybe none. It depends on the fluidity of this place.

Mr Gilles Bisson (Cochrane South): On a point of order, Mr Speaker.

The Speaker: There are no more points of order on that. If you want a point of order on something else, that's fine. That ruling has been made. It's now gone and now you're at the point, I believe, of challenging whatever ruling has been made. Thank you.

Member for Dovercourt, you have a point of order on this.

Mr Tony Silipo (Dovercourt): Yes, I do, Speaker. I have a point of order to say that because I was involved in a bit of a confrontation, to use that phrase, with you on this yesterday, I hope you can appreciate that the reason, certainly in part, for that happening on my part was because we did not see from our perspective the kind of altercation developing that you have described and we did not see the warnings that you say you have given.

As my colleague from Algoma has just pointed out, Hansard itself does not reflect those warnings. I would just ask that you take that into consideration as you deal with what is obviously a difficult job of —

The Speaker: And do you know what, member for Dovercourt? I will do it as impartially and fairly as I possibly can, and I think on balance I am as impartial and fair a Speaker on rulings as you're going to get. Thank you.

I'm ready for oral questions unless yours is a point of —

M. Bisson : Un point d'ordre.

The Speaker: What? A point of order. I'm sorry, go ahead.

M. Bisson : Merci, Monsieur le Président. C'est en français. J'ai demandé un point d'ordre. Je demanderais le consentement unanime aujourd'hui faisant affaire avec l'anniversaire du passage de la Loi 8, pour un commentaire de la part de chacun des partis dans cet événement.

The Speaker: Unanimous consent? All agreed? No. I heard a no. It's time for oral questions.

1420

ORAL QUESTIONS

EDUCATION REFORM

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the government House leader. Ontarians opposed to Bill 160 were pleased to see that yesterday Premier Harris indicated that there would be — the headline said, "Free Vote for Tory MPPs" on Bill 160. Just so all of Ontario is aware of this decision, will the government House leader confirm that Premier Harris plans to allow a free vote in the Conservative caucus on Bill 160?

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): As far as my knowledge goes on it, there has been no decision as to how members should conduct themselves with regard to that. In all of our votes, each member of the Legislature is entitled to vote one way or the other. In each particular situation, the caucus must decide, as a body, what the consequences of that might be. That has not been determined.

Mr Phillips: I'd just like to quote the Premier from yesterday. He's saying: "We're not ordering our caucus to vote against their conscience. Every member of our caucus is free to express an opinion or dissent." In other words, the Premier was saying yesterday that it is his intention to have a free vote. What Ontario wants to be assured of is that it will in fact be a free vote. They are aware in articles like this — "The Harris Kremlin" — that Mike Harris can apply his bully tactics behind closed doors if he wants to put the boots to caucus members who want to dissent.

On behalf of the people of Ontario, I want from the government House leader today an undertaking that it will be what Premier Harris promised yesterday, and that is a free vote for the members, and I want the assurance of the government House leader that there will be no threat of recriminations against those Conservative caucus members who choose to vote their conscience and vote against Bill 160.

Hon Mr Sterling: I believe I answered the same question in my initial response, that is, that our members are always free to vote whichever way they might want to. Any kind of recrimination in our parliamentary system is decided by any caucus with regard to the ability of a member to stay in that caucus or not stay in that caucus. In most cases, when a member decides to vote against a particular measure, they usually inform their caucus colleagues that they're going to do that, and the caucus accepts that.

Mr Phillips: I hope the public is listening carefully to this. Yesterday Mike Harris assured those who are strongly opposed to Bill 160 — and believe me, there are hundreds of thousands of Ontarians who have a strong, desperate disagreement with you on this bill —

Interruption.

The Speaker (Hon Chris Stockwell): Clear that gallery.

Interruption.

The Speaker: This House stands recessed for 15 minutes.

The House recessed from 1426 to 1441.

The Speaker: Final supplementary, member for Scarborough-Agincourt.

Mr Phillips: I think you can appreciate how angry people in this province are at Mike Harris. First he says this isn't about cutting \$700 million out of education, then we found out that was a fabrication and he planned to cut \$700 million. Then he said, "We're going to include principals and vice-principals in the federation, because that's in the best interests of education." Then when he gets mad, he cuts them out of that. He goes over to Europe and says what a fabulous education system we've got in Ontario, and then he comes back here and spends taxpayers' money attacking the teachers and saying what a crummy system we've got.

We found yesterday he said one thing: "Free Vote for Tory MPPs." Are you saying today that Mike Harris was simply fabricating that and you have no intention of giving the Tory members a free vote on Bill 160? Is that what you're saying?

Hon Mr Sterling: The member knows that's not what I'm saying. I'm saying, as the Premier said, that our MPPs all have an opportunity to review the issues of Bill 160. I can tell you that the members of our Legislature are 100% behind Bill 160. They believe it is a bill that will improve the quality of education in this province.

Interjections.

The Speaker: Order.

Hon Mr Sterling: As I was saying, the members of our caucus are extremely supportive of Bill 160. They believe it is a huge improvement to our education system. Ever since Mike Harris became the leader of the Progressive Conservative Party on May 2, 1990, every vote of this caucus has been a free vote, and it will continue to be so.

The Speaker: New question, official opposition; member for Fort William.

Mrs Lyn McLeod (Fort William): I guess we're going to need a fairness-for-Tory-backbench-members law.

My question is for the Minister of Education. You were asked by the media today about your new amendments to Bill 160, the one that attacks principals and vice-principals. Specifically, you were asked whether under your amendment a principal could still teach. You said you didn't know. Well, you should know, because it's your amendment. For the record, under your amendment they can teach.

If you didn't know that, maybe you don't know what else you have done with your amendments. You are stripping away any rights that principals and vice-principals have. You are forcing principals and vice-principals to choose by April 1 whether they will return to the classroom or whether they will risk losing all those rights if they do not. You are effectively destroying our educational

leadership. You are doing it because principals and vice-principals dared to oppose your agenda.

Minister, I ask you again today, will you withdraw this punitive, dangerous amendment?

Hon David Johnson (Minister of Education and Training): In terms of improving the education system, it's going to require everybody to be involved: the teachers and certainly the principals and vice-principals.

I look forward to working with the principals and vice-principals because they are in a leadership role in our communities and in our schools. I highly value that leadership role and the role that principals and vice-principals have played.

But the fact remains that the principals and vice-principals today are in a conflict situation. They are a member of the union on the one hand, where they have obligations to the other members of the union; on the other hand, they are in a key management position, in a position to have to do appraisals and do all the management responsibilities pertaining to the teachers under their jurisdiction. This is a terrible conflict situation. You don't find this in other jurisdictions of this nature, and it's one we intend to clarify.

Mrs McLeod: Your House leader has just suggested that your colleagues are 100% behind your Bill 160, but in fact your own colleagues believe that what you are doing here is wrong and is dangerous, and it's not just your backbench members, it's your cabinet colleagues, your health minister —

Mr Peter L. Preston (Brant-Haldimand): On a point of privilege, Mr Speaker: My duties here have been impugned by the opposition.

Interjections.

The Speaker: I've got to be able to hear the point of privilege.

Interjection.

Mr Preston: You can have one next door — always yapping and never saying anything.

The Speaker: Although I'm in a point of privilege, I ask you to withdraw that comment, please.

Mr Preston: I'll withdraw it.

My point of privilege is that my actions have been impugned by the other side. There is nobody in here big enough to tell this old bull how to vote — nobody.

Interjection.

1450

The Speaker: Order. If you would take your seat, please. I think I got the drift of your point of privilege. It's not a point of privilege. It may be a point of information or you may want to bring it up in a question or a period of time in a speech, but I don't think it's a point of privilege.

Supplementary?

Mr Preston: They're impugning my motives.

Interjections.

The Speaker: It's not a point of privilege. I've ruled.

Mrs McLeod: The member for Brant-Haldimand may be 100% behind Bill 160, but the health minister is not. Minister, your health minister, who is herself a former school board chair, someone who knows about education,

somebody who cares about education, has said that one of her issues of real concern is your attack on principals and vice-principals. She said just last Friday that she hopes you would look at whatever opportunities there are for a compromise. Minister, compromise means sitting down and talking to the people who are affected by your law. You have talked to no one about any of this.

Will you suspend any further consideration of Bill 160 so that you can sit down and talk about the very real concerns that Elizabeth Witmer has about your bill?

Hon David Johnson: I'll assure the member opposite that I fully intend to sit down, and the staff of the Ministry of Education as well to sit down, and talk with the principals and vice-principals to establish their working conditions and their employment conditions, for example. Their employment conditions will be protected, as you know, up until September 1. They have the ability up until April to make their decision and the terms and conditions will be protected until September.

But we need to sit down with them, and there is a regulation to allow us to be of assistance in that regard, to ensure the principals and the vice-principals have the proper terms and conditions after that period of time so they can rightfully take the leadership role in the schools that they have exhibited in the past.

Mrs McLeod: You really don't understand what you're doing here, do you? You've made enemies of every teacher in this province and you think you're going to bring in education reform. You make a punitive, vindictive attack on principals and vice-principals who dare to challenge you, and then you say you will sit down and talk to them about their working conditions. You will have destroyed their ability to provide leadership in our schools long before September 1 comes.

Minister, you've got to understand the kind of concerns your own colleague has expressed, Elizabeth Witmer, your health minister, who says she vows to provide aid on Bill 160, that she will talk to you and try and convince you of the concerns of her constituents. The question is, will you listen? Will you act on them?

She is expressing the kinds of concerns that she's hearing from her constituents and that we're all hearing from parents and teachers and students, like the people who are up in this gallery today, people right across this province who believe your bill is wrong, your agenda is wrong, your cuts to education are wrong.

Are you so determined to force through your agenda, to force through your cuts, to force through Bill 160, despite all the concerns from everyone, including your own colleagues?

Hon David Johnson: We do get selective quotes from time to time in this House. Perhaps I should read what the article actually said. It said, "Elizabeth Witmer, Waterloo MPP and Ontario's health minister, says she supports the controversial education reform bill set to receive final reading next week." She supports the bill is what it says here precisely. "Witmer said all the steps being taken by the government, including standardized report cards,

province-wide curriculum, will build on the strengths of the education system."

Interjections.

The Speaker: Minister?

Hon David Johnson: Clearly what the minister is saying is that the reforms we've already made, such as the report card, such as the curriculum changes, such as what's being built on here by Bill 160, are initiatives she supports. That's what this is all about. This is about a broad program to improve the quality in our education system through the report card, through Bill 160, through secondary school reform. I can tell you there is excellent support in this government for those improvements.

EDUCATION FINANCING

Mr Howard Hampton (Rainy River): I have a question to the Minister of Education, and it concerns the broad program. Your government promised the funding formula for education by the end of October. The end of October is now well past and we have not seen the funding formula for schools. I think I know why. I've got a letter here that was sent to you two weeks ago. It's a confidential letter from a number of education finance officials, the people who look after education finances for school boards. This is what they say in their letter:

"We submit that adequate and appropriate funding models must be developed from the bottom up." But then they say, "The focus of recent studies" — ie by your government — "has been the allocation of reductions from the funding base using a top-down philosophy."

They don't think your funding formula is going to work. Why won't you show it to the public so they can decide how much you're cutting from education?

Hon David Johnson (Minister of Education and Training): The funding formula is being developed. As you can appreciate, the funding formula is a complicated formula involving boards of different size, boards as large as Metropolitan Toronto's, and authorities with one school. There is a need to look at the different situations that occur in all boards across Ontario to ensure the funding formula is fair and equitable. That's exactly what we're doing at the present time. I expect the funding formula will be released later this year.

Mr Hampton: Here we have a government trying to force through their education bill, trying to tell everybody that they know what's best, and these are education officials, finance people who work for boards of education, who are writing to the Minister of Education, and they're saying to him very clearly, "We submit that the top-down cuts approach that your government is using will not work and will not produce the desired outcome." These are education finance experts who work for boards of education. They're saying your whole strategy of trying to cut, trying to sit at the top and then trying to cut at the bottom, ie in the classrooms, will not work.

I put the question to you again: They believe your funding formula is all wrong. They believe your funding formula is all about cuts. Why won't you show your funding

formula to the people of Ontario so they can decide for themselves how adequately you're going to fund education?

Interjection: Patience.

Hon David Johnson: Yes, patience is required. There has been a process of consultation. There has been a funding formula that has been put out for consideration. All of these factors are being taken into account. This is something that requires a great deal of care in terms of developing a formula that reflects all the realities that have been gathered through the consultation process, through the expert panel process, which has had a look at the funding formula. These are matters that are being dealt with in the Ministry of Education. Why would we put out a formula that's not ready? Why would we put out a formula that hasn't reflected all of those realities yet? I can assure you that when it's ready, when it's fair, when it's equitable, it will be released at the earliest opportunity.

1500

Mr Hampton: Nowhere in this private and confidential letter does it say the funding formula is not ready. The point they make is that the funding formulas they've seen from your government are only going to accomplish cuts at the bottom, cuts that will be ordered from the top — in other words, by you and your right-wing political know-it-alls over there — and cuts that will affect children in the classroom. They don't talk anywhere about the funding formula not being ready; they talk about how inadequate it is, they talk about how inappropriate it is, they talk about how much damage it's going to do.

I put the question to you again, Minister. It's not a question of the funding formula not being ready — they say it's ready. The problem is it won't work. The problem is it's all about cuts. When are you going to show the people of Ontario what you're really doing to education — cutting it?

Hon David Johnson: The member of the third party will know that, as input into this model, there were several months of consultation, that there was an expert panel putting input into the process. The ministry has received that information. The ministry is assimilating that information. The model involves a basic foundation grant, pupil by pupil. It involves money in terms of an accommodation grant to recognize the facility needs. It involves special purpose grants involving language, geography; learning opportunities grant; adult education grant; special needs grant. It will focus the moneys to quality and into the classroom. These are the objectives of the new funding formula.

Once that funding formula has been determined, with the results of all the consultations and the expert panel, then it will be released, and that will be by the end of this year.

The Speaker (Hon Chris Stockwell): New question, leader of the third party.

Mr Hampton: Again, to the Minister of Education, because the Minister of Education just keeps digging himself in deeper. I'll quote from the letter again so there's no mistake: "The focus of recent studies has been

the allocation of reductions from the funding base using a top-down philosophy with little or no current expenditure data or related information." Then they go on to say that you cannot get an adequate funding formula unless you're prepared to look at the needs and you're prepared to state some principles.

The only thing we've heard from your government is that preparation time doesn't count, library doesn't count, guidance, psychologists, speech pathologists, custodians, maintenance workers, principals, vice-principals, busing and transportation and adult education don't count, and junior kindergarten is an option. Tell us, if all those things don't count according to your government, what does count in the funding base? What does count in our children's education?

Hon David Johnson: If the member is willing to listen, I'll tell him what does count. What does count in the formula is quality. What does count in the formula is directing the resources into the classroom. What does count is ensuring that special education, children at risk, are taken into account. What does count is that we recognize that across the province of Ontario there are different needs, different needs in different jurisdictions, in rural and urban areas. All these factors are being taken into account, and until the final formula is put out, then we have to wait, we have to be patient to see. The final formula will reflect all of those realities to ensure that it's as fair as possible to every board in Ontario.

Mr Hampton: I'm going to repeat this because the minister just doesn't seem to get it. They say that you need sound empirical data about what's happening in the classroom, together with a statement of fundamental, basic principles defining quality, needs and priorities. They say that is exactly what is lacking.

Despite your rhetoric, despite the fact that you come in here every day and smile, these are education finance experts. Many of them have spent 20 years working in education finance. They've advised successive governments on education finance. They say when they look at your funding formula, it's all about someone like you sitting at the top telling people at the bottom how much is going to be cut from classrooms, how much is going to be cut from junior kindergarten, how much is going to be cut from adult education, how much is going to be cut from special education.

We've got your road map. I just listed all the things that your government says don't count.

The Speaker: Question.

Mr Hampton: Minister, when are you going to listen to these officials who are trying to help you? When are you going to come clean with the public? Show us the funding formula.

Hon David Johnson: I'm more than happy to listen to those officials and to anybody else who has advice to offer me as we work out this process. With all the bluster that's taking place over here on the other side of the House, it's interesting to note that in the secondary and elementary system today, there are over \$14 billion of expenditures, more than ever in the history of Ontario. More funds than

ever are being directed into our elementary schools and high schools. Also, during the term of the NDP, the expenditure control plan, the social contract, \$571 million was reduced from our schools in Ontario.

Mr Hampton: I want to quote from this letter again because these are, after all, people who have experience in the field. They've worked in education finance for some time. This is what they say. This is the last paragraph of their letter. They say: "We are deeply concerned. It is out of this concern that we offer our professional expertise."

That's how vitally concerned these people are.

Your government promised the funding formula last spring. Then you didn't produce it. Then you said that the funding formula would be available by the end of October. The end of October is well past.

They're saying in this letter that the funding formula they have seen from your government is totally inadequate, totally inappropriate. It's all about cuts, cuts imposed from the top on children who are in classrooms at the bottom. When are you going to come clean with the people of Ontario? Show us your funding formula. Show us what these people so urgently are writing to you about. Show the people what you're trying to hide from them.

Hon David Johnson: For the fourth or fifth time I will say that we are working on this formula. Once the formula is fair and equitable across the province of Ontario, it will be released. Up until that point, it's all speculation.

There have been months of consultation. There has been an expert panel. All that's been helpful. Any other suggestions that this group may have will be helpful. The stable funding for the school boards is protected until September of next year. Over the next couple of months this formula will be considered with all of the input we've had and then we will show the formula when the formula is ready. It will be out there in plenty of time for the school boards to understand it and to be able to plan for the 1998-99 school year.

1510

GOVERNMENT ADVERTISING

Mr James J. Bradley (St Catharines): My question is to the Minister of Education. Last weekend your government launched what can only be characterized as the most vitriolic and vicious attack on a group of people in our province that I have witnessed by a government in some 20 years. That attack was paid for by all taxpayers in Ontario, including the people that your government is attacking. In these ads that are paid for by all the taxpayers of this province, and not by the Conservative Party, the Harris government tried to place teachers, the front-line deliverers of education services in this province, in the most unfavourable light and made accusations which are completely without any basis in fact. Minister, are you now prepared to withdraw these ads, to sit down with the people who are delivering education services on the front line and abandon this vitriolic, vicious campaign which reminds us of the worst aspects of American politics?

Hon David Johnson (Minister of Education and Training): First of all, I want to say that this government values very highly the role of the teachers and the value they add to our education system. What this program —

Interjections.

Hon Mr Johnson: I think we have to understand the difference between the teachers and the unions. This government values very highly the role of the teachers. This government has never attacked the teachers.

The ads point out that class sizes, unfortunately, have increased as a result of negotiations. That's a fact. That happened in the case of Waterloo county, for example. It's a fact that high school teachers, for example, because of the arrangements that have been negotiated there, spend three hours and 45 minutes in the classroom. These are matters that really need to be brought to the attention of the general public, and the government has an obligation, through communications, to convey that sort of information.

Mr Bradley: An article in the Southam News services states the following: "Education Minister Dave Johnson, who has been the government's prominent public face during the strike affecting 2.1 million students, is receiving many of his marching orders from the so-called whiz kids in the Premier's office, Southam News has learned."

Minister, I don't happen to believe, knowing you as I have for as many years as I have, that you really support this kind of vicious attack on one segment of our society, using the taxpayers of Ontario to pay for this attack. When are you going to insist with the Premier that you and other elected members of the government caucus override that group of right-wing, vitriolic, ideological whiz kids who run this government now, and why don't you take charge and ensure that we don't see this kind of attack on people in our society by a government paid for by all taxpayers in this province?

Hon David Johnson: The member opposite is basing his question on a lot of assumptions. I can tell you that the Ministry of Education is committed to reform in the education system. The Ministry of Education is committed to communicating with the people of Ontario the kind of reforms that are taking place. The Ministry of Education needs to communicate with the people of Ontario the kind of roadblocks that are being faced at the present time.

This is a matter that's of interest not only obviously to the teachers and the members of this House; this is a matter that is of interest to all the people of Ontario. They have a stake in this, and we need to communicate effectively to everyone.

APPRENTICESHIP TRAINING

Mr Bud Wildman (Algoma): The Minister of Education and Training, in his response earlier, said that we should distinguish between the unions and the teachers. We have two representatives here today: One is the distinguished leader of OSSTF, Mr Earl Manners, and in the gallery up here we have Mr Dwyer Sullivan, who is a representative, a grass-roots teacher who occupied the

minister's office. That's the kind of people we have here today, and there's no distinction between the —

Interruption.

The Speaker (Hon Chris Stockwell): Sit down, please.

Mr Wildman: My question is with regard —

Interruption.

The Speaker: Order. Question?

Mr Wildman: A question to the Minister of Education and Training in regard to the leaked 1997-98 performance contract for Veronica Lacey, the deputy minister.

The Speaker: You only have 10 seconds left to ask the question.

Mr Wildman: The contract says that the government intends to withdraw —

Interjections.

The Speaker: I think I understand the humour of it, but the length of time just widens, so it kind of defeats the purpose.

Mr Wildman: Will the minister commit today that despite what it says in this contract, there will be no cuts to apprenticeship funding in Ontario?

Hon David Johnson (Minister of Education and Training): I will commit, in terms of apprenticeship funding, in terms of any component of the education budget, that I will ensure that the money is there to have the quality program that our students need in Ontario. If that's more money than we spend today, then so be it; if it's less money than we spend today, so be it.

Mr Wildman: In the performance contract it says that Ms Lacey is responsible for taking \$10 million out of apprenticeship, which combined with the federal cuts works out to a 40% cut.

We also have another document that was leaked some time ago, a confidential document, "New Directions for Ontario's Apprenticeship System," and it sets out the specific plans for cuts by your ministry in apprenticeship. You want to eliminate any protections in minimum age and minimum wage for apprentices and you want to make apprentices pay tuition.

The Provincial Building and Construction Trades Council passed an emergency resolution saying your plans would have "disastrous effects on apprenticeship programs."

Minister, will you promise the youth of Ontario that you won't make the same mistakes with their future that your government has made with its massive cuts to classroom education? Will you commit to protect apprenticeship training programs and to increase, not cut, the funding for apprenticeship in this province?

Hon David Johnson: If there's one thing I've heard over the years in terms of the education system, it's that the apprenticeship program has not served the people of Ontario well; the young people or people frankly at any stage of life.

What I will promise the member opposite is that we will have an apprenticeship system in the province that's more streamlined, more flexible and modernized, that serves the needs of our young people and those people

who need the apprenticeship program in Ontario. We are going through that sort of reform today. It's being investigated and reviewed. I can promise you that there will be a better system to serve the future of our province.

1520

AIR QUALITY

Mr Dave Boushy (Sarnia): My question is for the Minister of the Environment. As you know, I come from a heavy industrial community. Last week there was a report released by the Commission for Environmental Co-operation. It was addressing the issue of smog and air pollution problems that exist not only in my riding but affect the rest of Ontario as well. I would ask you if you could tell us some of the details the report addressed.

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): I know the member for Sarnia is very concerned about air quality issues, as he lives on a border of the United States and as a result of that his citizens receive many of their air quality problems from across our provincial and international boundaries.

Last week the Commission for Environmental Co-operation, an organization which includes Canada, Mexico and the United States, released a report which confirms what this province has been saying for some period of time, and that is with regard to transborder air pollution. The report shows that the air-borne pollutants from the American Midwest and Ohio River Valley are significant contributors to air quality problems here in our province.

Among their findings is included that smog is a summertime problem primarily; that air masses are moving across our borders significantly; that transboundary air flows include several pollutants; and that it's not a localized problem.

We are working on this problem.

Mr Boushy: Minister, I can appreciate all the work put into the report by the CEC that confirms people's suspicions about the origins of our air pollution. What is this government doing to combat air pollution and improve air quality in Ontario?

Hon Mr Sterling: I think it's important that this province show leadership with regard to taking measures to improve our air quality so we can go across to our neighbours and say: "We've done something. We want you to do more as well."

One of those significant campaigns we have put forward and one of the significant steps we have taken is our Drive Clean program, which is going to reduce smog from cars, trucks and buses in urban centres of southern Ontario. This is a very ambitious, huge program that's going to affect some 4.7 million cars and vehicles in this province in the very near future.

We have also made a significant number of other air quality improvements to this province.

This government will continue to take an aggressive stance to fight air pollution in this province, but we know that part of the problem comes from across the United

States. We will continue to encourage those governments and the Canadian government to take a strong stance with regard to this matter.

SCHOOL TEACHERS

Mr Rick Bartolucci (Sudbury): My question is to the Minister of Education. Whether you like it or not, the agents of change for your revolutionary reforms to education are going to be the 126,000 teachers that you and your government have vilified, degraded, beat up and bullied over the course of the last two and a half years but especially over the course of the last month.

Your response to the member for St Catharines only reinforces what the people of Ontario think: You dislike, you degrade, you disrespect and you don't trust the teachers of Ontario. That's what you're telling the people of Ontario as they listen to your ads.

Minister, how do you propose to get these agents of change, my fellow teachers, to institute these changes when you and your government have such a negative view of them?

Hon David Johnson (Minister of Education and Training): I want to reiterate what I said here previously, a couple of things: One is that there is no question we need the teachers, the principals, the vice-principals, the directors, the boards, everybody involved in the education system; and second, I have nothing but the highest respect for the teachers, the principals, everyone involved with the education system.

The reality is that there needs to be reform in the education system. Asking for reform in the education system doesn't cast any aspersions on those who are involved in the system itself today. The teachers are performing as well as they can. They are performing admirably under a system that needs to be reformed, and that's what the education system reform is all about.

I am more than happy to sit down and will be seeking avenues to sit down. For example, early childhood education is an issue where we need to sit down, we need to explore. We need reinvestments. There'll be any number of opportunities, for the curriculum review, to sit down with the teachers. I'm looking forward to doing that.

Mr Bartolucci: Minister, get real for a second. When you say that teachers are wasting money in education, you're sending out a negative message. When you're telling the people of Ontario that teachers are lowering standards and are accepting lower standards, you are sending out a negative message. When you are telling the people of Ontario that teachers want larger class sizes, that they want higher taxes, that they want less instructional time, you're sending out negative messages about the teachers of Ontario. Minister, will you commit today to putting on an advertising campaign that enhances in a positive way what the teachers of Ontario are all about? Will you commit to that today?

Hon David Johnson: The member opposite should get his facts straight in the sense that through union negotiations, class sizes have gone up; through union negotia-

tions, we've had various restrictions on the instructional time and we've had higher property taxes.

Mr John Gerretsen (Kingston and The Islands): — that the teachers want larger class sizes? Get a life.

The Speaker: You know what? I'm not arguing with you. It may be and it may not, but you're out of order. Minister.

Hon David Johnson: The reality is, within the system our teachers have been performing admirably. They need to be supported. I want to work with them. I want to work with them on curriculum reform. I want to work with them on many other topics. As I mentioned earlier, early childhood education, for example, is a topic. We need to get together, work together. I anticipate doing that and I'll be making initiatives in that regard.

RÉFORME DU SYSTÈME D'ÉDUCATION

EDUCATION REFORM

M. Gilles Bisson (Cochrane-Sud) : Ma question est au ministre d'Éducation. Vous dites que le but de la Loi 160 est supposément de donner aux parents de la province un peu plus d'appui et un peu plus de pouvoir quand ça vient au système d'éducation. J'ai ici une lettre signée par Lynne Dénomme, qui est membre du conseil des parents de l'école Saint-Gérard, datée le 13 novembre, au directeur de cette école. Je vais vous lire une partie et ça dit :

“Suite à une consultation auprès des membres, c'est avec regret que nous vous informons qu'il nous est impossible de continuer à siéger au conseil d'école suite à la législation, éventuellement la Loi 160, imposée par votre gouvernement provincial.”

Si vous avez perdu la confiance des parents, comment êtes-vous capable d'aller en avant avec cette loi ?

Hon David Johnson (Minister of Education and Training): Am I saying here today that there aren't some board members or some members of our community that are in opposition to Bill 160? Obviously not. Obviously there are people who do not support Bill 160. But the reality is that through Bill 160, through the establishment of school councils, parents will have more input into the system, parents will have more authority within the system. That, I believe, will improve the accountability of our system and will improve the quality of our education system. I think you'll find that in terms of parents and the education system, they can look forward to improvement as a result of Bill 160.

M. Bisson : Monsieur le Ministre, vous avez perdu la confiance des étudiants, vous avez perdu la confiance des parents, vous avez perdu la confiance des enseignants et vous avez perdu la confiance du public en général, où 60 % du public disent que vous allez dans la méchante direction avec la Loi 160. Combien de personnes dans la province de l'Ontario ont besoin de s'opposer à vous avant que vous n'écoutez la population, le monde que vous êtes supposé de représenter ? De combien de personnes a-t-on besoin ?

Hon David Johnson: I have every confidence that the people of Ontario want to see reform in the education system. They want to see a higher level of quality. They want to see greater efficiencies within the education system. They want to be assured that average class sizes will not go up. That's exactly what Bill 160 does. They want to see that our students have the same number of instructional days as students in other provinces. That's exactly what Bill 160 does. They want to see that our students have qualified people to assist in complementing teachers within the system. That's exactly what Bill 160 does. They want to see parents having a role through councils within their own schools. That's exactly what Bill 160 does.

I believe that when the facts are known, when people see precisely what is in Bill 160, they will say: "Right on. That's the kind of reform we've needed for years in the province of Ontario."

1530

RURAL JOB CREATION

The Speaker (Hon Chris Stockwell): New question, member for Norfolk.

Interjection: Welcome back.

The Speaker: Welcome back.

Mr Toby Barrett (Norfolk): Thank you, Speaker. My question is for the Minister of Agriculture, Food and Rural Affairs. I was pleased to hear that you recently launched the government's \$30-million rural job strategy fund. This is further proof of our government's commitment to creating a climate for private sector job growth and investment not only in rural Ontario but also in my riding of Norfolk. Minister, can you assure the House that we aren't merely throwing money around like previous governments?

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): I can assure my colleague that we are not going to throw around money the way other governments have.

Mr John Gerretsen (Kingston and The Islands): This is embarrassing.

Hon Mr Villeneuve: It should be embarrassing to the Liberals, yes. To the member for Kingston and The Islands, it should be embarrassing to you; you're absolutely right.

The rural job strategy fund is a long-term economic development to benefit rural Ontario. Over the past 10 years, rural Ontario has been to some degree forgotten by previous governments. This government is investing \$30 million to create that climate. This past July the parliamentary assistant the member for Bruce travelled the province to listen to rural people, farmers, entrepreneurs, and they told us what they wanted in rural job creation.

Mr Barrett: Rural job creation is the key. As someone who grew up in the country, I can assure you that one problem we all identify with is the lack of opportunity for people in rural areas. Many of our high school and univer-

sity graduates wish to work in the area and they can't. This program is very promising and will give our graduates the option to return home. Can you inform members of the House what else the rural job strategy initiative will achieve?

Hon Mr Villeneuve: The fund is designed to encourage investment in rural Ontario. It was based on input, a lot of information that we received, to obtain economic growth and job creation throughout all of rural Ontario. We're looking for permanent jobs. We're looking for partnerships where the investors will be providing the initial money. The government will indeed be supporting that with an equal amount. So it's not a situation where the government is leading; it's a situation where our entrepreneurs in rural Ontario will be leading by forming partnerships in order to provide those very, very needed jobs in rural Ontario.

We are losing some of our good young students from rural Ontario. They're coming into the urban parts of this province to find employment. This is oriented towards keeping our good young people where they were born, where they were raised, where they were educated, in rural Ontario, so the brain drain doesn't go to our urban areas.

CLASS SIZE

Mrs Lyn McLeod (Fort William): My question is for the Minister of Education. You and your government have claimed that you want to take control over class size because you are concerned about increasing class size. You clearly want people to believe that you are going to be lowering class size. Through the amendments that were passed last night in committee, your amendments, you are about to enshrine in law the status quo for class size. Parents in this province know that the status quo means that their students very often are in classes of 36, 38, 40. Can you assure parents across this province that their students will no longer be in classes of 38 or 40?

Hon David Johnson (Minister of Education and Training): I know parents are very concerned about that, and I share their concern. We have taken the first step towards tackling this situation, because over recent years, dating back to 1992, I guess, at the elementary level, the average class size has been going up and up every year. We have examples recently of union contracts which have actually increased the class size. This will stop the growth of the class size. That's the first step. It's an excellent first step. It will actually mean that in some boards the class size will have to come down to this level, so in some boards it will come down.

It's certainly the long-term objective of this government that not only should we stop the growth of the class size, which this bill does, but indeed that the class sizes come down.

Mrs McLeod: You have absolutely no idea how your law is going to work or how it's going to affect class size at all. You have put the status quo into law — average class sizes. It doesn't mean there aren't going to be

classes of 38 or 40. The reason we have classes of 38 and 40 now is that boards are struggling to keep class sizes in the lower grades and special education classes smaller. The only reason they can even hold class sizes to that level now is because they have had to gut special education classes and cancel junior kindergarten classes.

You are going to make things worse by taking \$700 million more out of education. There is no way there will be smaller class sizes when you take \$700 million out of education. Tell me, Minister, how can you have lower class sizes and take \$700 million more out of the education system.

Hon David Johnson: I have indicated clearly on several occasions that what will be spent on education on a year-by-year basis will be determined through the estimates process to ensure quality education. This step, which is reviewed every three years — so this will be reviewed after three years — halts the growth of the average class size within Ontario.

I share the concern of parents who have students in classrooms with 30, 35 or more. This shouldn't be happening. The class sizes should not be growing in Ontario. We have taken the first step to halt it. It will be reviewed after three years. There will be a fair funding model out to ensure that boards have moneys to implement those class sizes, and those boards which have average class sizes beyond those stated in the bill will have to bring those class sizes down to the average.

Ms Marilyn Churley (Riverdale): On a point of order, Mr Speaker: I would like to ask for unanimous consent to allow all-party statements, November being Wife Assault Prevention Month.

The Speaker (Hon Chris Stockwell): The member for Riverdale is seeking unanimous consent for a statement on November being Wife Assault Prevention Month. Agreed? I heard a no.

1540

PETITIONS

HOSPITAL RESTRUCTURING

Mr Sean G. Conway (Renfrew North): I am pleased to present a petition signed by hundreds of my constituents in Renfrew county and the southern part of the district of Nipissing, which petition reads:

"Whereas the Renfrew County District Health Council and its hospital steering committee has recommended a 100% reduction in the number of chronic care beds at St Francis Memorial Hospital in Barry's Bay; and

"Whereas St Francis Memorial Hospital's catchment area includes communities in Nipissing district and Hastings county; and

"Whereas the Renfrew County District Health Council did not allow for meaningful consultation and public input into their decision; and

"Whereas the long-term care facility and community-based programs are already stretched to capacity; and

"Whereas the unique geography of our communities in west Renfrew and south Nipissing must be taken into consideration in determining equitable access to quality health care services; and

"Whereas it has been determined by public groups, including the Ontario Hospital Association, that the scope and speed of restructuring health care in Ontario is putting patients at jeopardy;

"We, the undersigned citizens of communities served by St Francis Memorial Hospital, do hereby petition the Renfrew County District Health Council and its steering committee to withdraw its recommendation to eliminate the hospital's chronic care beds and to commit to genuine public consultation with regard to any changes in the delivery of health care service to this area."

I proudly sign my name to this petition and support it on behalf of my constituents, ably represented here today by Reeve Ethel LaValley and some of the nurses from St Francis Memorial Hospital in Barry's Bay.

The Acting Speaker (Mr Bert Johnson): The chair recognizes the member for Riverdale.

Ms Marilyn Churley (Riverdale): For the record, the minister responsible for women's issues was the one who said no to making statements on Wife Assault Prevention Month.

EDUCATION REFORM

Ms Marilyn Churley (Riverdale): I have thousands and thousands of names on a petition on Bill 160. It reads:

"To Premier Mike Harris, Minister Dave Johnson, and members of the Ontario Legislature:

"Whereas the Harris government is proposing detrimental changes to education services in Ontario;

"Whereas inclusive and open consultation on education has not taken place;

"Whereas students and teachers will not allow the government to cut funds for education to fund tax cuts;

"Whereas students, parents and teachers want reinvestment in education rather than a reduction in funding;

"Therefore, we the undersigned, petition the Ontario Legislature as follows:

"That the government of Ontario reconsider its direction on education policy and that they halt any further changes to the education system until a thorough and inclusive review has taken place, and withdraw and review Bill 160."

I affix my signature to this petition.

ANTI-TOBACCO LEGISLATION

Mr Toby Barrett (Norfolk): I received these petitions Sunday from tobacco farmers and business people concerned about freedom of choice.

"We, the undersigned citizens of Ontario, petition the Legislative Assembly of Ontario the following:

"Whereas freedom of choice regarding tobacco smoking in a privately owned business as previously allowed is being unfairly curtailed by the strict and unnecessary

enforcement of the regulatory tobacco act as passed by the previous provincial government in the counties of Brant, Elgin, Oxford and the riding of Haldimand-Norfolk-Brant;

"Therefore we, the undersigned, request the province of Ontario to amend or revise the regulatory tobacco act in the following ways:

"That within the tobacco-producing counties of Brant, Elgin, Oxford and the riding of Haldimand-Norfolk-Brant the policing of the regulated no-smoking protocol be left up to the municipalities to enforce as they see fit; and

"That this also apply to any municipality, county or riding within Ontario where tobacco production or processing is an economic factor;

"That privately owned businesses that produce or process tobacco and/or whose business services or supplies the tobacco industry and reside within the designated regions be exempt from the posting of the regulated no-smoking signs and be allowed proprietary discretion on tobacco use within their establishments;

"That the use of legal tobacco products as used by adults be allowed in businesses that produce or process tobacco and/or whose business services or supplies the tobacco industry within the designated regions without the fear of penalty or fines to their clients or staff."

I hereby affix my signature to this petition.

EDUCATION REFORM

Mr Frank Miclash (Kenora): This petition was given to me by a group that wanted me to wear the green ribbon today, but as you know, the Speaker's ruling yesterday would not allow me to do that. The petition reads:

To the Legislative Assembly of Ontario:

"Whereas education is our future; and

"Whereas students, parents and teachers will not allow their futures to be sacrificed for tax cuts; and

"Whereas students, parents and teachers will not allow the government to bankrupt Ontario's education system; and

"Whereas you cannot improve achievement by lowering standards; and

"Whereas students, parents and teachers want re-investment in education rather than reduction in funding; and

"Whereas students, parents and teachers won't back down;

"Therefore, be it resolved that we, the undersigned, support our MPP, Frank Miclash, in his efforts to withdraw Bill 160 immediately."

I've attached my name to that petition as well.

Mr Gilles Pouliot (Lake Nipigon): I have a petition addressed to the Legislative Assembly of Ontario signed by no fewer than 700 people in the great riding of Lake Nipigon. It reads as follows:

"Whereas the government of Ontario has not listened to the public on Bill 160; and

"Whereas we, the people, believe that no government has a mandate to act in isolation of the wishes of the elec-

torate of this province and we have lost confidence in this government;

"We, the undersigned electorate of Ontario, petition the Lieutenant Governor to dissolve the Legislature and call a general election forthwith."

I too believe that they should resign, put Bill 160 for public education to the test and call an election.

The Acting Speaker (Mr Bert Johnson): Before I proceed, would you please put that box on the floor.

Further petitions?

Mr Bill Grimmett (Muskoka-Georgian Bay): I have a petition that's been forwarded to me by approximately 204 constituents in my riding. In accordance with the standing orders, I'll summarize the petition by saying that it is in opposition to Bill 160 and I'll file it today.

Mr Pat Hoy (Essex-Kent): This petition is similar to the large one that I presented to the minister yesterday.

To the Lieutenant Governor and the Legislative Assembly of Ontario:

"Whereas education builds the future for our children and society; and

"Whereas parents, students, educators and taxpayers will not allow their futures to be sacrificed for tax cuts; and

"Whereas parents, students, educators and taxpayers recognize that Bill 160 is about power and money, not quality education; and

"Whereas you cannot improve achievement by lowering standards and bankrupting Ontario's education system; and

"Whereas students, parents and educators want a funding model that quantifies a reinvestment in education rather than a reduction in funding; and

"Whereas parents, students and concerned citizens won't back down; and

"Whereas the Mike Harris government has trampled democracy with Bill 160 and has refused to even listen to the citizens it serves;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly to withdraw Bill 160 immediately."

I affix my signature to this.

Mr David Christopherson (Hamilton Centre): I have hundreds of letters and faxes and petitions that have been presented to me by Mary Walford and Joanne Kenny, concerned parents who have led the charge to generate these pieces of correspondence. I present them to the Legislature. They're addressed to the Lieutenant Governor, the Speaker and area Tory MPPs. A sample of the letters reads as follows.

This one happens to be addressed to the Lieutenant Governor:

"I would really appreciate if you would support our efforts to help the government hear the voices of the people of Ontario prior to the passing of Bill 160. As the Lieutenant Governor, you have the power to allow our voices to be heard by slowing down the passing of Bill 160.

"There are three pieces to this puzzle. We are the largest piece, the missing piece that fits.

"The Ministry of Education and Training and the Ontario Teachers' Federation have stated all along that they have the best interests of our children in mind. Who better than the parents of Ontario to ensure that the children are the focus of the education system? We are talking about our children, their future. It is the right of every child in Ontario to have access to quality education, regardless of their socioeconomic place in our society and their diverse ethnic cultural backgrounds. The schools, students and their families and the communities must have a voice within the Ministry of Education and Training.

"I thank you for giving me the opportunity to voice my concerns regarding Bill 160."

It is with great honour that I add my name to those of these Ontario citizens.

1550

ABORTION

Mr Ernie Hardeman (Oxford): I have a petition signed by some 900 residents in Oxford. It's to the Legislative Assembly of Ontario.

"Whereas the Ontario health system is overburdened and unnecessary spending must be cut; and

"Whereas pregnancy is not a disease, injury or illness, and abortions are not therapeutic procedures; and

"Whereas the vast majority of abortions are done for reasons of convenience or finance; and

"Whereas the province has the exclusive authority to determine what services will be insured; and

"Whereas the Canada Health Act does not require funding for elective procedures; and

"Whereas there is mounting evidence that abortion is in fact hazardous to women's health; and

"Whereas Ontario taxpayers funded over 45,000 abortions in 1993 at an estimated cost of \$25 million;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to cease from providing any taxpayers' dollars for the performance of abortions."

EDUCATION REFORM

Mrs Sandra Pupatello (Windsor-Sandwich): This is a petition to the Legislative Assembly of Ontario. It is a petition against Bill 160 on behalf of the people of Windsor.

"Bill 160 does nothing to improve or guarantee quality in Ontario education. It is an unnecessary and vaguely worded piece of legislation. This government has no business controlling issues that are best decided locally.

"Bill 160 is not just about teachers' prep time and class size; it's about giving the government absolute control over education, including the ability to change anything in education without debate. There is no guarantee that centralized control over education by the government will allow our schools to keep programs such as special edu-

cation and extended arts. There will be no democratic process to follow if we are unhappy with decisions made.

"We, the undersigned, being taxpayers, parents and concerned community members, believe that there are other ways of controlling costs in education without the government distributing our education tax as they see fit. We must be consulted. We want Bill 160 scrapped or amended so that control over education matters stays in the local communities with the people who know best what our students need. We want to continue to have the ability to exercise our democratic rights."

I affix my signature to this petition.

Mr Tony Silipo (Dovercourt): I wear this green tie today in support of the green ribbon campaign and join with the many parents who continue to write to us and send petitions such as this one against Bill 160. This one reads:

"Whereas the government of Ontario has not listened to the public on Bill 160; and

"Whereas the government of Ontario has chosen to overtly deceive the people of Ontario as to the true objectives of Bill 160; and

"Whereas we, the people, believe that no government has a mandate to act in isolation of the wishes of the electorate of this province, and we have lost confidence in the government;

"We, the undersigned electors of Ontario, petition the Lieutenant Governor to dissolve the Legislature and call a general election forthwith."

I've affixed my signature in support of this petition.

VETERANS' HIGHWAY

Mr John R. Baird (Nepean): I have a petition addressed to the Legislative Assembly of Ontario.

"Whereas Canadian and Allied veterans are recognized the world over for the effort they gave in fighting to preserve our free and democratic way of life; and

"Whereas the people of Ontario are forever grateful to the many dedicated men and women who bravely and unselfishly risked their lives for Canada; and

"Whereas too many Canadian children are unaware of the extraordinary courage and profound sacrifice Canada's veterans displayed in securing the safe and prosperous country we live in; and

"Whereas dedicating Highway 416 in memory of Canada's veterans would be an appropriate gesture of respect, reminding everyone of the contribution veterans have made to our society in preserving an important part of Canada's history;

"We, the undersigned, petition the Legislative Assembly of Ontario to name Highway 416 the Veterans' Memorial Parkway."

I have affixed my own signature thereto, and I know the members for Lanark-Renfrew and Norfolk will want to join me.

EDUCATION REFORM

Mr Dwight Duncan (Windsor-Walkerville): I am proud to present petitions that have been signed by literally thousands of my constituents.

"Whereas the government of Ontario has not listened to the public on Bill 160; and

"Whereas the government of Ontario has chosen to overtly deceive the people of Ontario as to the true objectives of Bill 160; and

"Whereas we, the people, believe that no government has a mandate to act in isolation of the wishes of the electorate of this province, and we have lost confidence in the government;

"We, the undersigned electors of Ontario, petition the Lieutenant Governor to dissolve the Legislature and call a general election forthwith."

I am proud to affix my signature to these petitions.

Mr David Christopherson (Hamilton Centre): I have a petition signed by hundreds of parents and teachers representing the Burkholder middle school in Hamilton. That's grades 6, 7 and 8. The students are aged 11, 12 and 13, including Stephanie MacKay, who played a role in providing this to my office. Their teacher is Rosemary Almas and the principal is Mr Forbeck. I thank them for their efforts. The petition reads as follows:

"We, the undersigned, hereby petition the Legislative Assembly of Ontario, Premier Mike Harris and the Minister of Education" — then the Honourable John Snobelen — "to withdraw the legislation to lengthen the school year and school day; and

"Whereas the Minister of Education has introduced the lengthening of the school year and it would be harmful to our teachers who take courses during the summer to make themselves better teachers; and

"Whereas through this legislation the summer vacation will be shortened, which will not allow some students to seek summer employment and holidays with members of their extended families; and

"Whereas students will be forced to concentrate on work through 30 degrees Celsius weather; and

"Whereas the majority of the schools in our city are not equipped with air-conditioning and many students will end up with heat stroke, asthma attacks, allergies and many other illnesses; and

"Whereas with the longer days there will still be homework assigned and those students involved in extra-curricular activities will be penalized by having a lot less time to do homework; and

"Whereas the economy will suffer because there will be no kids to go to camps and tourist attractions;

"Therefore we, the teachers, students and parents of the province of Ontario, demand that the government and the Minister of Education withdraw this legislation."

I agree with them and support their petition.

ORDERS OF THE DAY

TENANT PROTECTION ACT, 1997

LOI DE 1997 SUR LA PROTECTION
DES LOCATAIRES

Mr Leach moved third reading of the following bill:

Bill 96, An Act to Consolidate and Revise the Law with respect to Residential Tenancies / Projet de loi 96, Loi codifiant et révisant le droit de la location à usage d'habitation.

Hon Al Leach (Minister of Municipal Affairs and Housing): I would first like to point out that I will be splitting my time with the member for Kitchener and also the member for Hamilton West.

Today I am moving third reading of the Tenant Protection Act. This is a bill designed to improve the climate surrounding Ontario's rental housing industry; a bill that protects tenants while encouraging landlords and developers to do more to maintain and build rental units; a bill that streamlines the system.

Bill 96 will do these things. It will do them while keeping tenants safe from unfair rent hikes and arbitrary evictions, and it will do them by establishing a new user-friendly Ontario Rental Housing Tribunal to resolve landlord-tenant issues faster and more efficiently.

This legislation is the final product of a long, careful process that the government began back in June 1996 when we released a discussion paper suggesting a new direction for tenant protection legislation.

Ontario has had rent control since 1975, and there's no doubt that the initial intentions were very good, but since then each party has brought in legislation designed to improve the system but in reality has simply succeeded in making it too complex and too unworkable. While it keeps rents under control, it fails in many, many other ways; maintenance, for example.

Estimates of repairs needed to Ontario's rental housing stock run as high as \$10 billion. Landlords are so restricted by government regulation they do as little maintenance as possible because they can't recover their costs, and tenants suffer. Broken locks go unfixed; elevators can go unrepaired; pipes leak; tenants have to live in increasingly rundown buildings. This is under the current system.

Then there is new supply. Under the current regulations, development will not build new apartments because it's a very poor business investment. This means tenants have access to a limited supply of old buildings that are only getting older and have little choice of where to live.

We needed to change that system. That need was confirmed in private studies such as the Lampert report conducted in 1995. It was also confirmed in meetings with landlords and tenants and when our discussion paper was the topic of hearings held in nine cities across Ontario.

We studied what the experts had to say. We talked with landlords, we talked with tenants and all other interested groups. We listened carefully to what the committee

heard. All of those details were considered during the drafting of the legislation we introduced last fall.

Bill 96 received second reading in May, and this past summer there was another round of committee hearings around Ontario, and again we listened carefully before announcing any amendments.

1600

So you can see that the legislation now in front of the House is a product of a great deal of input from a great many people. We believe we have learned what will work and we have learned what won't work. We believe that we have put before us a bill that is fair, that is well balanced, one that works better for tenants, one that works better for landlords and works better for the Ontario taxpayer.

When writing the legislation, one of our primary concerns was ensuring that tenants would be protected from unfair rent increases. Tenants will still be protected by the rent control guideline exactly as it stands now in the current legislation, which has been set at 3% for 1998.

What has changed is that under the proposed new Tenant Protection Act, when an apartment becomes empty, rent controls come off and the landlord would be free to negotiate a new rent with a new tenant. When the new tenant moves in, rent controls would go back on and the new tenant would have all the protections that all other tenants enjoy. In essence, we would be moving from a system that protects the apartment to a system that protects the person.

I would like to state here that there's absolutely no evidence anywhere to support claims that rents would skyrocket under this new system. As a matter of fact, right now about 50% of the rental units in Ontario are rented below what the landlord could legally charge. This means that already many rents are determined by what the market can bear, not what rent control determines. Remember that landlords are in business; they compete with other landlords for tenants. They would have to have well-maintained buildings and a competitive price or their units would stay empty, and they certainly don't want that.

We believe that this fundamental change strikes a balance. It protects tenants while addressing the legitimate need of landlords to gain a reasonable return on their investment. It gives landlords more freedom to maintain their buildings. That also benefits tenants. It should help create a better climate for investment in the construction of rental buildings, again benefiting the tenant.

The balance we were seeking in the new Tenant Protection Act is also illustrated by the package of amendments we introduced following this summer's committee hearings. Many were technical amendments, and I'm not going to go into those, but let me touch on a few that once again show the balance we have striven for in this bill.

Tenants asked for automatic rent reductions when municipal taxes were reduced. That has been agreed to. Now if a landlord benefits from a tax decrease, the tenants will benefit as well.

Tenants asked for mandatory rent receipts. Under the proposed Tenant Protection Act, they'll get them. We believe it's a necessary step towards avoiding future disputes

between landlords and tenants. It also means extra protection for people who pay their rent in cash; that's the particularly vulnerable low-income tenant who lacks the financial means or the credit identification to maintain a bank account.

Landlords sought, and got, both a fast-track eviction process and the ability to pass through new charges for security services. But while the landlords asked for these changes, tenants also benefit from those changes. They too want their homes to be safe and secure, and they too stand to gain from a system that will see dangerous neighbours leave sooner rather than later.

The fast-track eviction process will only apply where there are safety issues. Let me give you a real, true-life example. A man we're going to call Joe was a resident of a group home operated by a church organization for recovering alcoholics. Despite repeated warnings, Joe continued to drink alcohol on the premises. Things took an ugly turn one evening. Joe went into a drunken rage, threatening the other tenants and attacking one of them viciously. This incident traumatized the other residents in the home, many of whom were just in the process of putting their lives back together. The operator was forced to move other tenants out of the facility while the lengthy, extremely lengthy, eviction process moved along.

In this case, vulnerable tenants were victimized twice. First they had to endure Joe's erratic behaviour; and second, they were forced to relocate because of this one tenant's actions.

There have been many other situations where tenants have used their apartments as crack houses or have set fires in rental buildings. There have been incidents where tenants in apartments have been abusive and violent against other tenants or small landlords and destructive to property. These incidents don't happen every day, but when they do, faster evictions are needed to protect both the landlord's property and the other residents in the building.

Within this process, I should emphasize that tenants will still have due process. The time frames for giving eviction notices may have been shortened, but the hearing processes will still be held just as they are now. Under the Tenant Protection Act, those hearings will be conducted by the Ontario Rental Housing Tribunal, the quasi-judicial agency that will be at the heart of the government's simpler, faster and fairer approach to resolving landlord-tenant issues. This less formal approach will lift the burden currently placed on Ontario's crowded courts and offer Ontario's tenants and landlords a one-window opportunity to resolve problems.

At the present time, there are no clear guidelines and legislation, and that has caused much confusion. For example, 80% of rental buildings contain four units or less, and many mom-and-pop landlords certainly need payments to meet their own mortgage commitments. The new Tenant Protection Act would clarify for both landlords and tenants what information would be acceptable for the landlord to ask. What I'm referring to here is the right for landlords to request income information from prospective

tenants. This is a business, as I've said, and in any business, whether it's a bank or a landlord, they have a right to ensure that a new tenant has the ability to pay the rent.

Finally, in the event that this legislation is passed, it would be our intention to wait several months after third reading to proclaim the Tenant Protection Act. Those months would be well spent. It would be our intention to spend that time appointing a chair and other members to the Ontario Rental Housing Tribunal. We would select the best decision-makers possible, based on skills and experience, and we would staff and fully equip the tribunal.

We would also use that time, again subject to the passage of the legislation, for public education efforts required to inform landlords and tenants about their rights and obligations under the act and how to use the new tribunal. We want to make sure we get it right for tenants; we want to make sure we get it right for the landlords of this province.

I'll close my remarks by thanking the many individuals who invested time and energy in the process that brought us to this point. I would like one final time to reiterate our four main goals. In proposing this new tenant protection legislation we wanted (1) to protect tenants from unfair rent increases and arbitrary evictions; (2) to improve maintenance and get tough on landlords who fail to take care of their buildings; (3) to create a climate where people will invest in new rental housing — this in turn would give tenants more and better choices of where to live; and (4) to streamline administration and cut red tape to create a faster, fairer, less costly system of rent control.

As you are well aware, this law will combine six existing pieces of legislation and will substantially amend two other statutes. We believe this proposed Tenant Protection Act achieves all of those goals. We believe we have put forward legislation that will truly benefit the tenant, the property owner and the Ontario taxpayer.

1610

The Deputy Speaker (Ms Marilyn Churley): Further debate? He's not sharing his time?

Hon Mr Leach: Yes, Chair, I did.

The Deputy Speaker: I wasn't in the chair, so can I clarify again, please.

Hon Mr Leach: I announced that I would be sharing my time with the member for Kitchener and the member for Hamilton West.

Mr Rosario Marchese (Fort York): Speaker, on a point of order: There's no quorum in the House and there should be, because people should hear this member speak.

The Deputy Speaker: Could you check and see if there is a quorum.

Clerk Assistant (Ms Deborah Deller): A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present.

The Deputy Speaker: The member for Kitchener.

Mr Wayne Wettlaufer (Kitchener): I'm pleased to participate in the debate on Bill 96, the Tenant Protection Act, and I speak in favour of it. We toured around the province in public hearings this summer for a couple of

weeks, and of course a year ago this past summer we also toured around the province for two weeks leading up to the introduction of this bill. We asked for a number of suggestions from tenants' advocates, we received a number and we have made amendments.

Tenants' advocates have suggested imposing absolute ultrastrict rent controls that will ensure property owners can't get a dime; and vice versa, the landlords' groups that we heard from suggested that we get rid of rent controls entirely. What we tried to do was to reach a happy medium. In discussing with tenants' groups since the introduction of this bill, since the public hearings — I have met with a couple different groups back home in my riding in Kitchener, and my executive assistant has represented me as well at meetings — I think what we have done is succeeded in reaching that happy medium. The tenants' groups, after we explain to them what we have attempted to do, agree. They have some reservations, they have some concerns, and that's okay.

What we have tried to do is take into consideration the viewpoints of the many diverse groups. The delegations that we heard from included tenants' associations, landlords' associations, seniors' groups, churches, legal clinics, development companies, students' groups, various types of construction and development companies, municipalities, social planning councils and other various groups. Some of them were diametrically opposed, as you can appreciate, so what we wanted to do was fix a system that we felt wasn't working.

Did everybody agree that the system needed fixing? No, not everybody did, but I'd like to bring out some quotations. The Liberal red book, for instance, said, "Within our first year in office, [we will] simplify the existing system and streamline it to provide better service to tenants and landlords." In addition, the Liberal red book said, "A Liberal government will undo the impact of Bill 120," which was the old rent control legislation, "in order to meet the special needs of those who live and work in retirement homes."

Alvin Curling, the member for Scarborough North, went so far as to say: "Let's not go about insulting investors and landlords. Let's not feel that tenants are the only ones to be protected in this process, but all." He went on to say: "Bill 121," the NDP rent control bill, "does not in any way protect tenants and landlords. It hurts both landlords and tenants."

Mr John R. Baird (Nepean): Who said that?

Mr Wettlaufer: Alvin Curling, the member for Scarborough North. "It does not provide funds," he said, "that are needed to complete the necessary repairs on the province's aging rental housing."

Here's another very notable quotation from a very noteworthy individual. He said: "Many people assume that rent control is there to protect the lower-income tenants in the units that they rent. In fact, it's upper-income tenants who get the most benefits." The man who said that was John Sewell, and he said that on Studio 2, TVO.

Mr Baird: Who said that?

Mr Wettlaufer: John Sewell.

Mr Marcel Beaubien (Lambton): John who?

Mr Wettlaufer: John Sewell.

Interjection: A paid union organizer.

Mr Wettlaufer: A paid union organizer, right.

I think it's important to keep in mind here that \$10 billion of repairs are needed to existing rental housing. We have seen that balconies need repairs, garages need repairs, plumbing needs to be repaired, roofs need to be repaired. Essentially what this boils down to is that the previous rent control system did not allow a landlord who had to carry out the repairs to recover his costs. That was one of the things we had to address, and we have addressed it.

We have heard from a number of landlords in our areas that the majority of them are immigrants who have come here since the Second World War.

Mr Marchese: Are these the people who own a house or two or the big apartments?

Mr Wettlaufer: Some of them do own a house or two. Some of them own just a sixplex or a fourplex or a duplex. This unit represents their life savings, and they have not been able to carry out the repairs. They have come to us and said, "We must have some relief."

Mr Marchese: They came to you? I don't believe it.

Mr Wettlaufer: Yes, they came to me. I have a number in my riding — Italians, Poles, Greeks, Jews and Germans — and they needed relief.

The former government's housing policy resulted in Ontario growing into one of the largest landlords in the free world. The government was competing with the people we expected to provide reasonable rental housing. These were the people who were paying taxes. These were the people who were providing jobs. But no, the government had to go into competition with them.

Mr Marchese: Oh yeah. Get the government out of the housing business. Stop building non-profit housing.

Mr Wettlaufer: That's right. Now you understand.

I'd like to read from the New York Times of June 13, 1997. This was an article written by Henry Pellakowski, and it was what was evident in Massachusetts:

"Those who envision catastrophe if New York's rent regulations are undone can look to Massachusetts.... A rent control phase-out there is bringing more benefits and less disruption than many expected.... Deregulation has affected the poor less than anticipated, construction and renovation of rental housing are up even for a boom time and higher property values are translating into more property tax revenue....

"Officials were surprised to find that the poor were not the main group benefiting from rent control. When the Massachusetts Legislature sought to ease the transition by offering short-term extensions for needier tenants, remarkably few households applied and even fewer qualified." Only 7% qualified. "Rent-controlled tenants were less likely to be in families with children. About half of them had higher-status white-collar jobs, and only 10% were elderly."

That is what we are going to find here. I know that the members of the previous government, the members of the

now third party, would like to see the same situation that they have in Germany perhaps, where third and fourth and fifth and sixth generations live in the same rented house at grossly inadequate rents. But that's not fair to either tenants or landlords. We have to have a system whereby the rental housing is maintained at a rate that is safe for the tenant and can give the landlord at least a reasonable return on his or her investment.

That is what this bill attempts to do. It will succeed. I am happy to support the bill.

1620

Mrs Lillian Ross (Hamilton West): I'm pleased to rise today in support of the Tenant Protection Act. In June 1996, the government issued a discussion paper on rental housing issues. During that time over 400 presentations were made as the committee travelled across the province. Once the bill was finally drafted and published, further consultations took place through the committee process, again as they travelled across the province.

This bill tries to provide a balance between the needs and concerns of tenants and the needs and concerns of landlords. No bill, at least to my understanding, ever satisfies the needs of any specific group of individuals. There are always two sides to every issue. As we've heard the Liberal member from Scarborough North say, "Let's not feel that tenants are the only ones to be protected in this process, but all." That's what this bill tries to do. It tries to protect the needs and the concerns of the tenants as well as the needs and concerns of the landlords.

I'd like to touch on a few of the concerns we've heard about tenant protection from tenants. One of the biggest concerns that tenants fear is that as soon as this legislation is passed, their rents are automatically going to rise astronomically. That's not true. As a matter of fact, that's more fear on the part of tenants than reality.

I remember at one of the public hearings I was at, I asked one of the landlords specifically in my riding what would happen if rent controls were lifted, because one of his tenants had called me. His response was, "Absolutely nothing," there would be no change.

The reality is that right now rent control isn't working. Many or most of the apartments being rented today are rented for much less than the rent control guidelines allow. However, because tenants were concerned, we ensured that they would be protected by making sure that rent control guidelines would remain in place as long as they stayed in their apartments. Once they left their apartment and the apartment was vacant, then the landlord had the opportunity to charge fair market rent. We felt that was only fair, because we're providing a balance by protecting the tenant but at the same time allowing the landlord an opportunity to charge fair market rent.

Some tenants also expressed concern over being harassed by landlords in order to get them to move out, so the bill proposes three important changes to prevent landlords from harassing tenants. It doubles the penalty for harassment from \$25,000 to \$50,000 for corporations; the enforcement unit, which investigates complaints from tenants, will be strengthened; and it also allows a tenant to

make an application to the new Ontario Rental Housing Tribunal for a rebate if they are harassed. Individual landlords would have fines up to \$10,000 imposed on them.

One of the concerns we heard was about maintenance. Buildings were old and not being kept up. Maintenance is poor. Some rental buildings in the province have hundreds of outstanding work orders against them for maintenance. The bill gives property standards officers the power to issue work orders immediately to a landlord in cases where there is a violation of a property standard. The maximum fine for a landlord who fails to comply with a work order is increased to \$100,000.

The ability of landlords to be able to charge market rent on vacant apartments provides an incentive to landlords to maintain their buildings. It makes sense that if they have a clean, well-maintained building, it will rent much easier than if it were not. That's what landlords want to be able to do: They want to rent out their apartments.

Many of the concerns we heard involved the fear that landlords would be allowed to convert their units to condominiums and this would adversely affect affordable supply. In fact this bill ensures that lifetime security of tenure would be given to any tenant whose rental building is converted to a condominium.

During the public hearings we also heard from both landlords and tenants that the present court system takes too long and is too complicated to understand. It can sometimes take months to have a case heard and an issue resolved. The new Tenant Protection Act proposes a more user-friendly system that will focus on mediation and alternative dispute resolution. The new streamlined system will provide better, faster decisions that are in the best interests of tenants and landlords. I suggest to you that's what tenants want: They want their issues resolved quickly. That's what this act will do.

If tenants feel that they have been charged unfairly for inadequate maintenance or are receiving reduced services, they will be able to apply for a rent refund. That's something that tenants have asked that they be allowed to do as well.

I know there are lots of other speakers who want to talk on this so I just want to say that this bill provides a balance for the tenants and for the landlords, and I think it's fair for both of them. We've heard a lot of concern that removing rent control isn't going to increase rental stock. No, that's absolutely right; it won't. But good economic policy, including lower taxes and reduced red tape, as well as fair legislation that looks at both sides of the issue will provide new rental housing, and I'm sure that will happen.

The Deputy Speaker: Questions and comments?

Mr Dwight Duncan (Windsor-Walkerville): I'll begin by thanking the minister and his colleagues in the government party and say very briefly that we disagree with much of what they stated. Indeed, the evidence that was presented at committee doesn't agree with what they stated.

The government has said repeatedly that one of its principal objectives is to create more affordable housing in

Ontario. It's the view of the official opposition that this bill will not do that, that this bill will in fact lead to less affordable housing.

We said in committee that we support notionally the idea of improving the administration of rent law in this province, improving the administration of how we conduct rental affairs in this province, but the reality is this bill doesn't deliver on that front. This bill doesn't deliver on a whole range of fronts, which I will address in more detail during my own remarks.

I want to say to the members of the government, this bill is not about creating more affordable housing; it's about getting rid of affordable housing. It's about creating a complete market economy where again the poor and most vulnerable will be the most exposed. In that sense, the government at least is consistent in what it's doing on the whole housing front, including a range of other changes it has made outside the legislative changes contemplated in Bill 96.

Despite the rhetoric, the official opposition says that this bill does not create affordable housing, it does not protect tenants, it does not protect our communities. This bill will be taken back in two years' time and meaningful rent control will be restored in the province of Ontario.

Mr Marchese: Speaker, I appreciate the compliment you sent to me with respect to the tie that I'm wearing. I could tell that from there you can see the quality of the tie. I appreciate that.

Three members, the minister and two other people, one from Kitchener and the other one from Hamilton West, spoke about this bill as being balanced and as being fair. I was quite clear, having heard 70% of the deputants who came in front of the committee, that tenants said and argued that there is no fairness to this bill, there is no balance in this bill at all.

You've heard the three previous speakers say that tenants also said and say they want balance. No. The tenants that I listened to, who came to the deputations on this bill and who came to depute on the previous package that was not a bill but a different kind of package that was part of the consultations, said, "There is nothing in this bill that's for us." You have these people continuing to say, as they do, that they have consulted tenants, that they have listened to tenants, and they are responding to tenants. Well, I tell you, if they responded to tenants, they would leave the previous bill in existence because they've said that is the bill that protects their interests, not the bill that is before us.

The balance that they speak of is the one that tips the balance for the landlords. That's the kind of balance that these people are looking for. It has nothing to do with striking a balance that protects tenants. I'll have an opportunity to speak to many of the issues that are in this bill, that will show clearly to tenants and others that this is not a bill for tenants, but a bill for landlords.

1630

Mr Alex Cullen (Ottawa West): I listened to the comments of the minister here in third reading of his bill and I have to say that his attempt to portray this bill as a

balancing act between the competing interests of landlords and tenants and that this bill would therefore lead to the provision of more affordable housing simply is denied, contradicted and in fact rejected by almost all of those who came during the discussion paper hearings more than a year ago, and then through the public hearings that we had during second reading of this bill. The point I'm making here is that the minister, in trying to tell us all that this is indeed a panacea for all those ills — it is simply a line that is not being accepted by those people who have to live in the very real world that we have to deal with.

We are dealing with a major change to what's going to happen to the shelter of a large number of people across Ontario. In Ottawa-Carleton nearly half the population lives in rental housing. These changes do not improve their situation, not at all. As a matter of fact, members opposite should know that the regional municipality of Ottawa-Carleton has published a series of staff reports indicating that there is a crisis in rental housing in Ottawa-Carleton and that the problem is not the issue of land supply or the supply of the housing. The problem is the affordability of rental housing. I would be more than happy to go into detail in this when I have my opportunity to speak to this issue.

The fact remains that this bill, through its ability to de-control rents on individual units over time, is a step backwards in terms of rent control. It's with regret that I hear the members opposite, the government side, claim otherwise.

The Deputy Speaker: Thank you. Questions and comments? The member for Nepean.

Mr Baird: Thank you, Madame Deputy Speaker. I haven't had the opportunity to congratulate you on your election as Deputy Speaker in this place. I'd like to congratulate you. We have every confidence you'll continue to do an outstanding job in that capacity.

I also wanted to congratulate my colleagues the member for Hamilton West, the member for Kitchener and the Minister of Municipal Affairs and Housing for their remarks.

I did want to put on the record something I did. There was a consultation process undertaken by a local group concerned about this issue in Ottawa-Carleton, and a rather large advertisement was put in the Ottawa Citizen encouraging the good people of Ottawa-Carleton to call myself or the member for Ottawa-Rideau with our views and opinions on this piece of legislation. I would put forward that this is one factor of a good number to consider in the discussions surrounding this bill.

My colleagues, the members for Hamilton West and Kitchener and the Minister of Municipal Affairs and Housing, will be very interested to know the results of that consultation, where people were invited to call in to my office. I got 15 calls; seven of them were solidly against the bill and in fact there were eight separate calls in support of the bill. So there was a very small majority from that invited consultation with an objective amount of information put by a local housing group in the Ottawa Citizen. Thank you very much, Madame Speaker.

The Deputy Speaker: Member for Hamilton West, you're going to sum up for your party.

Mrs Ross: I just wanted to address a couple of the comments that were made that this bill doesn't create more affordable housing. As I stated earlier, this bill in itself does not create more affordable housing; that's exactly correct. But this bill, in conjunction with good economic policy, with reducing taxes, with eliminating red tape, will create new housing.

As a matter of fact, during the hearings the government was pleased to hear that Minto Developments of Ottawa is planning to reinvest \$31 million into rental stock, partly as a result of Bill 96. I think that's good news for Ottawa and good news for Ontario.

In fact this bill does protect tenants and it does protect landlords. It provides tenants with the opportunity to ensure that their rents will not rise astronomically as they stay in their rental apartments. They will rise only by the guidelines, which is as they are now under rent control. It also allows the landlord the opportunity, once a tenant moves out, to charge fair market rent for vacant apartments.

So I think this bill does look at both sides of the issue. It tries to ensure that tenants are protected, but it also tries to allow the landlord the opportunity to charge fair market rent, but ensures that he maintain his building. I think that's only fair, so I very much support the bill.

The Deputy Speaker: Further debate? The member for Windsor-Walkerville.

Mr Duncan: Thank you, Madam Speaker. I too want to congratulate you and wish you well. I know you have done a great job in an impartial fashion and I am sure that you will continue in that way.

My understanding is there is agreement that both opposition parties will share the remaining time and we will alternate back and forth. I will be sharing the official opposition's time with five of my colleagues: the members for Ottawa West, Scarborough North, Oriole, Parkdale and York South.

In the time that I have available to me, I want to speak first about a little bit of a history around Bill 96. I also want to address what we in the official opposition believe is wrong with this bill. I want to talk for a moment or two as well about who's going to be hurt by the bill, and then I want to talk about the bill in the context of the government's entire housing agenda as well as in the context of the government's entire economic agenda.

As I was going through some papers the other night in my office in preparation for this, I pulled out a Conservative campaign document that was distributed in the York South by-election that said, "Rent control will continue." It talked about tenants speaking out and how these reforms will help tenants. I thought it ironic that the government would say one thing and do quite another. I guess in light of what they've done in other areas, particularly this week as we discuss education reform, what this government says it is doing and what it actually does aren't necessarily one and the same thing.

Members opposite and the public will know that the government began this process with a series of hearings in the summer of 1996. Those were supposed to be hearings that elicited public opinion and sought the views of people across Ontario. As I recollect, more than 270 groups appeared and in fact while they were there they denounced those hearings because they knew what they were: They were a sham; they were a false start. They knew that the government in fact had no intention of listening to what tenants, seniors, municipal politicians had to say, and the government didn't listen. The government proceeded on.

Bill 96 was introduced almost a year ago. What did they do? They ignored the public hearings that had been held the summer before. They proceeded ahead with their own agenda, completely ignoring all the advice and all the input they had. Indeed, even landlord organizations said during the hearings that their advice had not been heeded.

We have to look at this in light of a whole range of things that the government has done in this bill, not only with respect to the substance of the bill but with respect to the process. We already have said that those hearings in the summer of 1996 were a farce, a sham. They meant nothing.

1640

Then, you'll remember when we did second reading of this bill — it was on federal election day, when nobody was listening. It turned out it wasn't a bad day at all in Ontario. It wasn't a bad day at all. A red tide swept across this province, mercifully. Mercifully, it'll happen again in two years, because the people of this province know that you can balance a budget, that you can be fiscally responsible and that you don't have to close hospitals and you don't have to close hospitals and you don't have to close schools, and you don't have to have teachers' strikes, and you don't have to antagonize the entire population.

In fact, people in this province, whether they be in Windsor or Ottawa, whether they be in the north or the south, want to work to find a balanced budget. But they don't want to do it on the backs of the poor; they don't want to do it with closed hospitals; they don't want to do it with an education system that's left in a shambles. They want to talk about meaningful reform, as we in this party do, and they certainly don't want the band of revolutionaries to disband the heart and soul of meaningful tenant protection in this province.

Yes, you tried to sneak that bill through second reading on federal election day and we saw a red tide sweep across this province that night. I predict today that we will see the same red tide sweep you right out of office, and everything you've done to undermine public education, to undermine our health care, and to take away protection of tenants and the poor in this province. You can sneak what you want through and you can play those games and you can pretend they're not happening, but the people of this province have your number. They have the score and they won't let you get away with it any longer.

We went across the province this summer and we did hearings. Again, every group that appeared before them denounced them, saying the government had no intention

of listening. This government is not balanced at all. This government talks in propaganda; it doesn't talk in fact, it doesn't talk in reality. Rent control will continue: That's what you said in your campaign brochures. What your minister said in this House and said publicly is that you're getting rid of rent control. The Premier said you weren't cutting health care, and what did you do? You closed hospitals — not one hospital would be closed in this great province, and what did you do? Thunder Bay, Sudbury, Ottawa, Toronto; you're closing hospital after hospital.

You said that Bill 160 wasn't about cutting money out of education, taking it from the hides of our children. That's what you said. Then your Premier stood up, and what did he do? "We're trying to find \$667 million." Caught at it. Your propaganda hasn't worked. All of you are nervous and that's why you had that testy caucus meeting, because you know the reality. It must have been very, very unpleasant in there. It must have been extremely unpleasant hearing from people right across your province saying you're doing a bad job and to clean up your act.

We tried to at least amend this bill, to make it acceptable, to make it meaningful. We put forward amendments that would stop vacancy decontrol. We put forward amendments to stop discrimination based on source of income. You will remember Keith Norton, the chair this government appointed to the Ontario Human Rights Commission. What did he tell you? He told you not to do this, real simple, real clear. Your appointment, a Tory cabinet minister, and what did you do? You ignored him and you rolled ahead with it anyway. We put forward an amendment to stop that. The government ignored it. We put forward an amendment to preserve the rent freeze work orders. Those are the so-called OPRIs. What did you? You rejected it.

Let's talk about process again. Here we are on third reading, and what are we under? We're under a time allocation motion, again time allocation because this government doesn't want to have a meaningful debate. Every time you get into a meaningful debate you lose because you don't have a case.

The final chapter is not yet written on Bill 96, because in two years' time when we form a government we're going to repeal it and we're going to bring back meaningful rent control in Ontario once again.

Hon David Turnbull (Minister without Portfolio): You don't know what you are talking about.

Mr Duncan: The government whip. My congratulations to the government whip on his elevation. He laughs smugly and is smiling. God, I wouldn't want to be getting his faxes or his e-mails. They shut down their e-mail and their faxes, there were so many of them coming in fast and furiously. Your constituents were calling us saying, "Can you please bring these messages to my Tory member, who won't listen to me?" Many of these people voted for you and they're not going to make that mistake again, I'll tell you. Once bitten, twice shy. They've learned their lesson. You can put the fire walls up on your e-mail, you can shut down your fax machines, but let me tell you, you won't

shut down the will of the people of Ontario in 1999, when they drive you from office for your callous and arrogant behaviour on education and health care. You can't put up a fire wall big enough to stop what's coming your way in another two years.

Let's talk about vacancy decontrol. The minister didn't spend much time in his little propaganda diatribe talking about what vacancy decontrol is. Vacancy decontrol will lead to landlord intimidation.

Interjection.

Mr Duncan: It will. You've acknowledged that in your own bill. You've put up all kinds of new so-called protections to protect people against what you know they are going to face, so don't go, "No, no, no." If that's the case, why did you put all that in there? You're going to see intimidation like you've never seen it before, my friends, and you should be nervous about that because it will be your constituents.

Maybe in the rural areas it's not an issue and maybe you can just brush off those people in Toronto and Ottawa and Windsor. Maybe you can ignore their needs and concerns, maybe you can continue to step on the poor and those who are least able to protect themselves: people who don't own hundreds of acres of land, people who don't have a net worth of millions of dollars, people who need a government to protect them and a government that recognizes that there's a legitimate role for government to play in regulating a marketplace, particularly one that is as important as housing.

We regulate the price of cable television, we regulate telephone costs, we regulate the price of water, we regulate the price of electricity, something that in comparative terms is a much smaller impact on people's budgets, yet this government wants to leave those people exposed to no protection. Vacancy decontrol is all about intimidation.

The government says it isn't really getting rid of rent control, but the simple math is this: Every year 25% of units become vacant, so within four years we'll effectively have no rent control. When they tell you they're not killing rent control, they're killing rent control, just like they're killing health care and just like they're killing education in this province.

They don't have a vision, they don't have a sense, they don't have an understanding of what the people of this province need to sustain the quality of life we have enjoyed, the quality of life that consistently rates our country the best place in the world to live. By extension, since this is the best province in the best country, this must be the best place in the world to live, yet you want to tear all that apart. You want to take it down, to hurt it and to put people who are most vulnerable at risk, and to protect your own friends. You don't have enough friends left to sustain your government, and when the time comes you'll see that red tide sweep across this province.

Who will be hurt by the bill? Seniors, students who have to move, the poor. As I said at the beginning, this bill is only one component of the government's overall agenda. Let's review what the government has talked about in its agenda. One of the first acts they took — they

say they want to create affordable housing — was to cancel all funding for new non-profit housing in this province, \$5 billion worth over four years. Then they announced their intention to download responsibility for social housing to municipalities, neutering yourselves, not leaving social housing on the tax base that it ought to be left with. The property tax base cannot sustain it. It will not sustain it. This is the government that is causing the highest property tax increases this province will ever see. Take affordable housing out of the equation and it might work, but it won't work, because you don't understand. Let me correct that: They do understand. It means the end of meaningful public housing policy in this province.

1650

Another first step they're proud of: They cut welfare allowances by 22%, deliberately undermining the ability of the most poor and vulnerable to afford their rent. Right here in this city the use of food banks is way up. In my community it's way up. Why? Because people want to pay their rent. Unlike the mean stereotypes this government paints, these people don't want to be on welfare. They want a job. You're missing the point. You haven't created the jobs you said you would. You gave your tax cut, you cut welfare, you closed hospitals, you're ruining our education system, but you haven't created enough jobs. There won't be enough jobs to save you in two years, because you've broken your commitments. You're not delivering. You're delivering for a very few people who will not understand what it means to live in rent-geared-to-income housing, and you don't care. You want to cut, cut, cut.

This government, through its actions, is quickly turning the issue of affordable housing from a problem into a crisis. They wanted a crisis in education; they created one. They got it. Boy, did they get it. It's like a boomerang that came back and hit them.

They want to create a crisis here. They don't want the responsibility. Their view is that government has no responsibility.

I sadly read that eviction and hostel use here in Toronto and in Windsor, London, Ottawa, both by single individuals and families, are at record highs. There are currently over 40,000 people on waiting lists for public housing in Ontario.

You've gutted our health care system. You're destroying our education system. Through Bill 96 you're taking away protection from the most poor and vulnerable. You have no vision of the future of this province or what we need to sustain the quality of life we have enjoyed to date. You ought to be ashamed. Two years from now you'll get the lesson. No fire wall is strong enough. No fax can be turned off long enough. You'll learn the lesson. This province will turn you out fast. We'll repeal this bill and we'll move forward with meaningful rent control in Ontario for the new millennium.

Mr Michael A. Brown (Algoma-Manitoulin): On a point of order, Madam Speaker: I just want to clarify what the member for Windsor-Walkerville was asking for, and that is to divide the time evenly between Liberals and the

third party. I would ask for unanimous consent that that actually happens.

The Deputy Speaker: Is there unanimous consent?

Hon Mr Turnbull: As long as we can have some response time, because we have taken less than the allotted time, we're in agreement.

The Deputy Speaker: I've been informed by the table clerk that if we divide the time equally that way, there is no room within the rules for questions and comments. So do I have unanimous consent? No. I heard a no.

Hon Mr Turnbull: Madam Speaker, on a point of order: The whole point of what I was raising was that so long as we had an opportunity for the two-minute responses, we have no objection to them dividing the time, but I was given to understand by you that we cannot do it in that way. We need questions and answers.

The Deputy Speaker: I'm informed I can't do that. We do not have unanimous consent to do this, then.

Further debate?

Mr Alvin Curling (Scarborough North): It is the same attitude that this government has done. It has cut the time from the official opposition and the opposition members to comment in the way they would like to see on Bill 96, which is an awful, awful bill that you are pushing here. It's a sham. Bill 96, as we know, will not protect tenants. It is not a rent control bill; it's a bill that will put tenants in a terrible position.

In my short time, let me just state emphatically again what many people have known, but let them know very clearly what this government has done. The first thing they did in their Common Sense Revolution, in their war, was to declare war on the poor. That's the first thing they did. They decided to declare war on the poor and they called it a commonsense war, a war that will look at the poor and the most vulnerable in our society and blame them for any kind of inflation, for any kind of spending that governments have done. They said, "They are the cause."

As we know, the first thing they did when they walked in was to look at those people on welfare and cut them by 22%. They chased them out of their homes, gave them inadequate funds to pay for their rent and then — the audacity — one of the ministers stated in the House here, "If you can't afford it, go and buy tuna." They said, "Tuna is expensive." He said, "No, go and buy dented tuna," even telling them the menu going into their bellies, saying: "Listen, stop eating. If you can't, go and buy dented tuna." This is the audacity, the attitude of this Tory government, the bulliness of this government, the arrogance of this government to tell the poor: "Starve if you want. After I've cut 22% of your welfare, go out and starve." That's what they did.

The next thing they did was to cut those who were having difficulty getting jobs and access with employment equity. They said, "No, you don't need any access." They want to make sure that those of their friends at the top end will be protected and won't fall off the table. Is this the kind of protection they were talking about, this rent control bill, when they went around the province and my leader, Dalton McGuinty, told them that we will repeal

this bill and put a proper tenant rent control bill in that will protect both tenants and landlords?

I want to thank the member for Kitchener, who stated quite eloquently, quite articulately, the position I have taken on rent control. We feel the legislation should protect tenants and also be very fair to landlords, but what you have done, of course, is to kick tenants in the teeth. What you have done, of course, is to destroy and make the market all ready for your friends in the private sector, to say that there should be no more social housing, and you have gone as far as cancelling some of the social housing put in place by previous governments so you can make sure there is a greater need to force people to buy very expensive homes, which they can't, while in the meantime you've cut away their income.

This is the kind of government that has declared war on the poor. This is the kind of government that has seen homelessness increase and who now are coming in to ask, where should they go? I would invite many of those members there, the member for Kitchener too, to go out into the cities and find, in the cold time now, how many people will die on the street because they have no place to go. What has caused that? You have kicked them out. You have not provided any more social housing. You have even deprived them of money, those most vulnerable in society who can't afford to pay rent, and you've said, "Go and negotiate with the landlord."

The landlords themselves, who are trying to get a fair rental policy in place, will not get it under your regime, will not at all, because the price will be much higher. The students, who have seen a higher tuition fee under this government, will also find a higher fee when they have to pay rent when they go out to school. This government has attacked the most vulnerable in society, has declared war on the poor.

Even Reform will take you over, as they are doing in Ottawa today. The fact is that you're just as bad as the Reformers, or even worse.

I strongly object to Bill 96. My leader, Dalton McGuinty, and Dwight Duncan from Windsor will make sure that we don't have this kind of atrocity when we take power in the next two years.

1700

Mr Cullen: As I stand and speak on this issue, I have to remind my colleagues opposite that the most recent by-election we've had here in this Legislature was this summer in Ottawa West, in Oriole and of course in Windsor-Riverside, and rent control, needless to say, was a very major issue. About 60% of the residents in my riding live in rental housing and it was a major issue.

People understand full well, from initially when the discussion paper went out over a year ago and then through the introduction of this bill, what exactly is happening here. What exactly is happening here is the slow death of rent control. This bill ends rent control. It takes away protections from tenants. It is with sadness that I have to stand here on third reading of this bill and preside over the demise of rent control as we know it here in Ontario.

With vacancy decontrol over time — because people move all the time. They move because they have children and need a larger place, or they move because there has been a family breakup or a separation and they need a smaller place, or someone dies in the family, but they have to move. Each and every time they move, they leave the security of their apartment and they're out in the marketplace. The marketplace, as we know, cares not for the economic circumstances of the people who need the most fundamental of requirements, which is shelter. The marketplace wants to know, how much can you pay for your rent?

I was here in Toronto back in 1975 and 1977, when indeed people were looking at 40%, 50%, 60% increases in rent. The government of the day, which was a Conservative government, brought in a form of rent control. I can say to you now, looking so many years hence, that we have a system in place that protects the rights of tenants, that provides an opportunity for landlords to gain a return on their investment. What they are able to charge renters in terms of capital requirements stays on forever. Never mind that the capital requirement, that money, has been spent on that upgrade and has been paid for; that tenant will continue to pay the rent on that thing forever and a day.

What I'm saying is that we're looking at legislation that not only takes away rent control in terms of vacancy decontrol but will make it harder for maintenance and repairs to be done, will encourage and make easier more demolitions and condominium conversions. These are all backward steps at a time when throughout this province we know there is a crisis in affordable housing.

I referred earlier to the studies that have been produced by the regional municipality of Ottawa-Carleton that identified quite clearly that the issue is not supply, it is affordability. When you see how many people are paying more than 30% of their income in terms of basic rent, you will see that those numbers are increasing and increasing. Even those who are paying more than half are increasing in our community.

We know we have an affordability problem, yet this is a government that has backed right out of the whole notion of trying to provide affordable housing. This is a government that's going to decontrol or deregulate the ability to maintain affordable housing for a significant number, I think it's 46% across Ontario or thereabouts, in terms of rental housing. It's wrong. This bill is wrong. I'll be pleased to be part of the government that repeals this in 1999.

Mr David Caplan (Oriole): It's clear that Bill 96, the so-called Tenant Protection Act, is simply an assault upon tenants, just like Bill 160 is an assault on students, parents and teachers in this province. It is a mindset this government has that anybody out there is fair game, and it's just an uncaring attitude.

I want to speak for two groups in this debate: first the residents of Oriole, 48% of whom are tenants; and also for the youth of this province who have expressed concerns through the committee hearing process and to myself as

I've been meeting with them as I've been travelling throughout the province.

Bill 96, as I said, offers no protection for tenants and they want it withdrawn in favour of real rent controls and real tenant protections. The concerns were many. Landlords will certainly be able to raise rents without restriction when a unit becomes vacant. The real fear among tenants is that they will be open to intimidation by landlords to move because they will be prisoners in substandard apartments and they will not be able to find affordable rental accommodation elsewhere. Even your own minister agrees with this. He's set up an anti-harassment unit because he knows what will happen as a result of your Bill 96.

I share the concerns of Ontario human rights commissioner Keith Norton — I believe a former Conservative cabinet minister and now head of the Ontario Human Rights Commission — when he says that Bill 96 sets aside provisions of the Ontario Human Rights Code which protect tenants from discrimination by landlords.

The tenants in Oriole have expressed serious concerns that under this new proposed law landlords will be able to enter apartments without notice to show the premises. Tenants are also concerned that the bill removes almost all protections that they had from their homes being turned into condominiums or being demolished at a landlord's whim.

Finally, and most importantly, tenants in Oriole are concerned that their rents will skyrocket because of new allowable increases for extraordinary operating costs, such as property taxes, hydro increases. No tenant can be sure what their rent increases will be from year to year.

The other group whose concerns I would like to address are the youth of this province. I would like to quote the Ontario wing of the Canadian Federation of Students. They summed up their concerns at the committee hearing as follows: "This bill heavily favours landlords and does little to protect tenant rights and, more importantly, affordable housing. Students will be greatly impacted by any increases in rents. The effects have great spinoff effects for the accessibility for post-secondary education and for the students."

Other youth organizations had some comments during the committee process. Touchstone Youth Centre brought its concerns about the amendments to the Human Rights Code to the committee. They wanted to stress that this law will affect youth who are already in crisis. They said, "Given how many youth have already been turned away from support services shamefully by this government, such as emergency shelters, I am here to put a compassionate request that you take into consideration the youth of our province who do not have access to references, to first and last month's rent, to the use of credit cards, and who are renting for the first time."

I would also like to point out a statement at the committee hearings by Justice for Children and Youth. They said: "In practice, many landlords exploit the already economically disadvantaged position of welfare recipients by asking for income information as a requirement for

applying for tenancy. Recipients suffer systemic disadvantage as a result of this discrimination when it, in turn, drives them to substandard and even dangerous dwellings. Thus, inadequate housing is the only affordable option for people who have been refused better, cleaner tenancy elsewhere. This prevents them from acquiring a good tenant history and traps them in a specialized market niche of inadequate housing."

I was pleased to stand with our leader Dalton McGuinty when he said that he would repeal Bill 96. It will happen in two years when this government is defeated.

1710

Mr Tony Ruprecht (Parkdale): Thank you very much for being able to participate in this debate. As all of us realize, of course, the public hearings started on this bill in 1996. Over 270 deputants came. The only problem is that the vast majority of these deputants were ignored. I know the Conservative government had a very tough time because the goal, as the member for Hamilton West indicated, was to be fair. Well, if this is fairness, then I don't know. Reading the piece on rent control that was given out at some of the by-elections — it reads quite clearly — it says that Mike Harris indicates to all the tenants in these by-elections, "We are working with you." Two hundred and seventy people attended the public hearings and, "We're working with you." So far, so good. "This," Mike Harris says, "is an important part of our plan to renew prosperity for Ontario."

This is a plan to renew prosperity? Is this Bill 96 a plan to renew prosperity for Ontario? Yet what do we see out there right now? Do we, for instance, have an increase in public housing, where the homeless can have fair shelter and a place to stay? Do we have an increase? The answer has to be an absolute no. There is no increase.

I want to personally congratulate Minto, because the member for Hamilton West is saying Minto will be increasing and developing some units. Good for them. You know what you're going to do in the end when Minto starts building? You are going to raise taxes. As soon as they start developing these places, you're going to increase taxes. With a downloading process, you will be unable to stop the roller-coaster and the push to increase taxes. Is that the plan Mike Harris says is going to bring prosperity to Toronto? Is this going to bring prosperity to Ontario? Is this the plan?

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): That's the Liberal approach. You know that, Tony. Liberals do that.

Mr Baird: I'm glad Mel Lastman disagrees.

The Acting Speaker (Mr Gilles E. Morin): Order, member for Nepean, minister.

Mr Ruprecht: I know the minister is saying that this is the plan that is going to increase prosperity. If this is the plan, then I want to ask the minister right now, how come there are so many homeless people on the street? Are they participating in the prosperity you're going to create for

Ontario? What's your answer to that? The answer has to be an overwhelming no.

In terms of being fair, with this specific Bill 96, to be fair you have to be inclusive. You have to include all the Ontario residents and not only those who can afford it. The subject of this bill has to be affordability. Is it affordable housing we're going to be creating for the rest of Ontarians, for those right now on the street? The answer has to be again no.

If this is the plan, then let's hear what the tenants say now. They say, "Whether it's smoke detectors or the front doors, nothing ever gets fixed," "I can't find an affordable apartment," and finally, "I don't even feel safe in my own unit." If this is the new plan of the government to create affordable housing, I know this Bill 96 will fail. It is bound to fail simply because you cannot address the main issue that all of Ontarians are waiting for today, and that is, create affordable housing.

When the tax increases are coming in and the rents are going up, what are your residents going to say to you? Are they going to hold you accountable? What are they going to do? Are they going to turf you out? I would submit that affordable housing is not being created.

Let's hear what your own former member and Minister of Health is saying to Bill 96. If you're not able to listen to the 270 deputants who have come before the committee, the deputants who told you the best advice, if you are not able to hear them, at least provide the courtesy to listen and open your ears to your own former member and Minister of Health, Mr Keith Norton. What does he say about Bill 96? My friends, he condemns the bill, because he says that Bill 96 will set aside provisions of the Human Rights Code. How do you like those bananas? Have you considered that Keith Norton is saying that this bill will set aside provisions of the Human Rights Code? Have you considered the consequences of that? I would submit this government has not.

The conclusion then is, if your people are putting out the Mike Harris plan on rent controls, if you're putting out a new plan that will create prosperity for Ontario, you cannot succeed with Bill 96. Read this bill. It cannot create prosperity, and it will not create affordable housing for Ontarians.

The Acting Speaker: Questions and comments?

Mr John Gerretsen (Kingston and The Islands): What this process here today shows more than any other is how our new rules have affected the debate in this House. Usually a leadoff speaker gets an hour, and after that speakers get up to 20 minutes. As a result of the time allocation that was passed earlier, this bill has to be debated in one day, which basically means in about two to two-and-a-half hours. The government took some 40 minutes to debate this earlier, and it now leaves the opposition in effect with less time collectively than what the government has taken on this bill. I think this is totally unfair.

This is our opportunity, after the public consultation that has taken place, after the bill went to committee etc, to comment upon all the input from all the various groups

clear across this province, and we have been given in effect less than 40 minutes to present the case against rent control. Whether you're for rent control or against rent control, surely the members opposite will have to understand that this is a forum where we debate the public policy of this province. To allow the opposition less time than the government to discuss this bill on third reading is totally unfair.

This is just another occasion, as we've already seen with Bill 160, where I hope the people of Ontario will wake up and realize the draconian rule changes that were passed by this government, almost without notice to anybody, earlier this year. They in effect allow them to cut off debate over and over again on very important pieces of legislation, whether we're talking about rent control, whether we're talking about Bill 160 or whether we're talking about any of the other major measures that are before this House.

Mr John R. Baird (Nepean): I would put on the record that the government gave a majority of the time for the opposition party. In fact, the member for Kingston and The Islands will be interested to know that the Liberal Party had 22 minutes left to use, and it didn't even use them. They must have been sleeping at the switch. The NDP would never be sleeping at the switch. We'd better check this out. They had 22 minutes that they didn't even use. They simply didn't use their time. They had the opportunity; they weren't prepared to get up and speak. This would never happen with the New Democratic Party. They're here, prepared to debate this bill, and I think we should allow them the opportunity to hear what they have to say.

Mr James J. Bradley (St Catharines): I think what is important for the people of Ontario to know is that the government of Ontario, the Progressive Conservative government of Mike Harris, is abolishing rent control. With the fuss over a lot of other legislation going on, particularly seniors in this province don't understand that Mike Harris is getting rid of rent control in this province. I know that the very large landlords of the huge complexes that exist in Ontario and the major developers are going to be delighted with that. They will be going to all the Conservative fund-raisers. They'll be providing all kinds of money for the government now.

But I wish you would be up front and say that what you're doing is abolishing rent control. The right-wing group will like that. As I say, you have a certain number of people in the province who will think that's a great idea. I don't happen to think so, and I think many senior citizens in this province are going to be completely perturbed about what happened.

Those same people today are perturbed in areas such as Ottawa, in areas such as the Niagara region, by the fact that people cannot get what they used to be able to get in terms of home care services. Senior citizens are concerned about that. I'm getting all kinds of telephone calls at my constituency office from people in this province, particularly in the Niagara region, the St Catharines area, who

cannot get home care services from the government now the way they used to.

Obviously the provincial Treasurer has to provide sufficient funding for the minister responsible for seniors so that he can provide the funding to these various centres which are deciding who will get what home care. I'm getting the calls on a daily basis from people who are very concerned. Those same senior citizens are going to be concerned that the government of Ontario is today ending rent control, because I don't think any of the seniors knew that's what this government was up to. They will after this bill passes.

1720

Mr David Christopherson (Hamilton Centre): Certainly we in the NDP appreciate having the Liberals on side in opposition to Mike Harris's agenda, which goes after people in the vicious way it does in reality under their so-called new rent control legislation. Having said that, though, I think one has to take with a great grain of salt the commitment that the Liberals are going to repeal the legislation and go back to the real kind of protection that exists right now under the NDP legislation that the Tories are now wiping off the books.

Anybody who wants to question what side the Liberals can be on during elections need only drive through Hamilton during any federal or provincial election and take a look at all the major apartment buildings and at whose signs are on the front lawn. Nine times out of 10 there are huge Liberal signs on the front lawn. When individual tenants in those buildings want to put signs that are different in their own buildings, even though they have the law that lets them do it, they have to fight and struggle in order to do that. So I have a great deal of difficulty with the Liberals suggesting that they're going to ride in and be the saviour for tenants. In fact it was all of the massive increases that existed under their tenure that caused us to bring in our legislation.

I realize this government deals in a way that says there are two sides, and on this issue oftentimes there are. It's hard to find that balance. But make no mistake: The Tory government's legislation is in favour of the landlords, and the Libs were no different. If we have to make a choice in the NDP, we'll side with tenants 10 times out of 10.

The Acting Speaker: The member for Oriole, you have two minutes to respond.

Mr Caplan: I appreciate the interventions and comments of all my colleagues from Hamilton, from Nepean and especially from St Catharines. What is clear and what I would say to all the members of the House is, take heed from the words of the member for St Catharines. This bill is all about removing rent controls, removing tenant protections from tenants, and the people who are most vulnerable are the seniors and the youth of this province. It's beyond anybody's imagination why the government has chosen this very heavy-handed — why they have chosen assault on tenants, why this bill amounts to legalized theft.

Why will the government not listen to former Conservative cabinet minister Keith Norton, chair of the Ontario Human Rights Commission, who says that Bill 96 contra-

venes the Ontario Human Rights Code? Why will you not listen? It is a total shame and it is a total sham. I see members opposite smiling about this. It is not a laughing matter. Those are protections we all enjoy. Those are protections that are necessary to the wellbeing of the people of this province. It is not a laughing matter and it is not a reasonable measure.

The backbench members of the Conservative Party have an opportunity to show some real leadership, to stand up and speak out on behalf of tenants in this province, oppose Bill 96 and offer real protection particularly to those who are most vulnerable: our seniors and our youth. In any event, in two years Dalton McGuinty and the Liberal Party of Ontario will repeal Bill 96.

The Acting Speaker: Further debate?

Mr Marchese: Speaker, some quick things, because we won't have much time. First, I want to say that I'll be sharing my time with the member for Hamilton Centre.

Second, about this tie: This isn't a tie that any developer would wear, or a serious landlord who's got deep pockets, I can tell you that. This is a tie that a New Democrat would wear from time to time as a symbol of resistance. It's a tie cheaply made in my office as a symbol to connect with teachers and parents and the general public, who have caught this government in a situation where the truth has come out, where clearly Mike Harris talked about taking approximately \$700 million out of the education system. This tie connects to the general public. I know it is irregular and a bit unconventional, but it is a tie none the less.

The other problem is the question of time, Speaker. You've noticed, and I've made this observation in the last little while, that the third party is getting less and less of its share of being able to debate. This government has changed the rules again. The autocratic ruling party on the other side, which determines the time, basically has changed the rules to the extent that they will be able to say as much as they want to say, the Liberals, as the official opposition, will take as much time as they need, and the NDP, which wants to do these serious analyses of bills, gets the crumbs. We get approximately 22 minutes to deal with Bill 96, because we had an agreement with the Liberals to share —

Interjections.

The Acting Speaker: Order, member for Kingston and The Islands. Order, member for Lake Nipigon.

Mr Marchese: We had an agreement with the official opposition and it didn't quite work out, and I suspect it will continue to be that way from time to time. I tell you, the rule changes are ugly for those who would do an analysis of this bill, as I'm about to do.

First, on the whole issue of housing, we've got a serious housing crisis in this country, and this crisis is led by no other than M. Chrétien, their Liberal counterpart up there in Ottawa, led by the Liberal government, they who say: "We have a heart. Unlike the Tories over there, we've got a heart." Well, those federal Liberals with a heart have abandoned their role in housing. They did that a long time ago. They stopped building. And you know

something else? These Libs want to get out of the housing field altogether; like the Tories, they want to get out. They have agreements with some provinces and territories already, and they wanted an agreement with this government too to get out of housing.

Remember, Speaker — I'm glad you're in the chair — that M. Martin in 1990, when he was running for the leadership, said: "What we need, Liberals, is a vision. We need a national role for government in housing." That was the paper developed by M. Martin in 1990. They get elected, and what do they do? They say, "We're getting out of the housing field," just like the provincial Tories are doing. We have a crisis in this country, a crisis that was being debated, in fact, in the municipal election.

You remember that M. Mel Lastman was saying there was no homelessness and then got around to the fact that maybe there was, even in North York. He wins the election and lo and behold, he's saying Barbara Hall might want to take on this issue of housing, because he recognizes that there is a problem. The Lord is merciful at times. Thank God he recognizes that there is a housing crisis, a housing problem that someone's got to fix. Harris is out, so hopefully Barbara Hall will be there to save the day. I don't know how, because there's no money. These Tories have chopped everything. They have mucked around with everybody, chopped everything that there is available to chop. I don't know what Mel Lastman is going to do; there is no money.

1730

So we've got a national crisis in housing and we've got a provincial crisis today in housing. Why? Because these guys over here say they don't want to get involved in housing. What does it mean? It means cooperative housing is gone as an alternative, and remember that cooperative housing, non-profit housing and the like represent only 5% of the housing stock. It's barely a whimper that these Tories worry about when they say it's too competitive for the private sector, for their buddies: 5% of the housing stock is represented in the field of we call non-profit and cooperative, and public housing as well. The rest is private housing run by developers, controlled — not controlled; it would be unfair — friends of those guys, friends of the Liberals too. They don't want to admit it, but as my friend from Hamilton Centre said, they've got a lot of friends there. That's why Liberals talk about balancing the act too between tenants and landlords. Sure, balance a lot of respective pockets on either side of this place.

We've got a problem that is already showing itself. People in Metropolitan Toronto are saying shelter is not an adequate solution to housing. Shelter isn't housing. It simply provides a place to go for people in trouble, but it doesn't solve the housing problem. Metropolitan Toronto, the new megacity you fine Tories have created, won't have the money to solve it for you as you download housing responsibilities to those people. They just will not have the resources. What a shameful act, for a provincial government to say: "We're not involved in housing any longer. We're dumping it down to the municipality." A shameful act. There are few jurisdictions in the world in

which municipalities take on the ownership of housing; in fact, I know of no municipality in the world that's doing that, no one — except these fine people over here. They come up with a fine solution to pass down the problem. These fine reptilian folks that we've got here —

The Speaker (Hon Chris Stockwell): Order. Member for Fort York. Withdraw that comment, please.

Mr Marchese: Yes, Speaker, I withdraw it. These cold-blooded Homo sapiens over there have no regard for those who are homeless, for those who are in shelters, for those who are going to have a hell of a time.

Mr Peter Kormos (Welland-Thorold): They're shedding their skins.

Mr Marchese: Shedding their skins indeed.

You have M. Harris. Did you hear him yesterday? He says about the education bill — it connects, because this is a tenant protection package — while gloating, "This should be called a Classroom Protection Act," he said with a great deal of glee. It's the same balderdash, it's the same crap that people have to eat on the tenant protection stuff. Here they call it the tenant protection package. Tenant groups and organizations dealing with tenants came to our committees, two separate committees dealing with this issue, saying, "Keep the NDP rent controls in place, because that's the best protection we've got."

You've got Harris, you've got the member for Kitchener, M. Wettlaufer, and the member for Hamilton West saying: "We were listening to tenants. We did listen to tenants. That's what we've got here, a balance." Balderdash. We have a septic tank in this room, I tell you, and it's hard to deal with if it's not repaired. This is a septic tank that needs to be repaired in this place, and quickly, Speaker, I say to you. I tell you it's the role of the Speaker to deal with the loathsome smell that comes from the septic tank on the other side.

The Speaker: Member for Fort York, I think you're attempting to add some interest and flavour to this debate, but I would caution you that I don't think it's helpful.

Mr Marchese: I know you don't think it's helpful, but it's what people feel out there. It's what I feel and it's what people feel out there. The smell is pervasive, I tell you, it creeps through these halls, and these walls are thick. Queen's Park walls are thick, I tell you, and the smell is very omnipotent and omnipresent.

Mr Peter L. Preston (Brant-Haldimand): Put your arms down and the smell will be better.

Mr Marchese: We'll disregard the member, Speaker.

Harris wrote to some fine people here in 1994: "My party believes that the Ontario government should get out of the housing business completely and use the billions in savings to help needy and low-income tenants access decent quality housing provided by the private sector." Where are those billions of dollars to help these people? Where are those dollars? They've been out of the housing field already and this guy Harris, mon ami Harris, says, "The savings are in the billions and we're going to use those billions to help people who need it." Where are they? Where are the bucks? Where is the pecunia? They're looking for it and they don't see it.

Mr Gilles Pouliot (Lake Nipigon): La payola is here. You'll find the payola.

Mr Marchese: The payola is for the landlord and the developer. It is a transference of wealth from the tenant to the landlord. That's what this bill is all about. "Transferring" is not the appropriate word; it's too abstract. It's taking money, stealing money from people who do not have. Remember, 33% of all tenants earn less than 23,000 bucks. Do you think it's a lot of money? Do any of the Tories think it's a lot of money? No, 23,000 bucks is not a lot of money.

Those people are going to face a tremendous hardship as they have to deal with this government that purports to say this bill is for them. Tenants have already said that this bill belies the facts, and I agree with them. I heard the member for Hamilton Centre and the minister, M. Leach, mon ami, mon cher. The minister says: "Don't worry, there are no big changes in this bill. You won't be affected very much." Let me speak to that as quickly as I can.

First, decontrolling: Decontrolling of rents means that as soon as one of you poor tenants leaves, you're cooked. You're cooked because what this bill is all about is to force you into a situation where you're moving, whereby the new landlord is going to be so happy to be able to extract so much from you that the one who is going to get the shaft is you, and not the landlord. That landlord is there to extract as much as possible from you, and in a tight market, as we have in Metropolitan Toronto, the person who will suffer is the tenant. When you move, you're no longer protected. You will face — we don't know what you will face, but I can tell you you will face an increase. These people tell you, "No, it's not true." I tell you, tenant, if you're watching this program, you're going to be facing an increase. Everybody seems to know that except the Tory members, but I think they know too.

Decontrolling means it's a free-for-all for the landlord. When the minister says, "Don't worry, there are no rent increases that are likely to happen, because we're not seeing them at the moment," I say to him, why are you changing the law then? If rents are not going to go up, why are you changing the law? Because he knows that he needs to satisfy the deep pockets of his landlord friends.

We're not talking, as Mr Wettlaufer was, about the little guy who's got a home, renting his basement. I'm not talking about that individual who's got a house or possibly two houses, or someone who owns a duplex or fourplex or what have you. I'm not talking about that. They are not the problem. The problem is the big landlord who's got a whole lot of units. Those are the culprits, in my view, and those are the people these folks are connected to, whose interest they are trying to satisfy.

Decol of rents is a problem for tenants. They've got to worry about it. Then they say, "But don't worry, if you stay at home, you've got no problems." But there are problems. If you're staying at home, this is what you will face if you don't move out: You are going to face the same guideline increases, which next year will be 3%. All of you will face that. What happened is that M. Leach and M. Harris have increased the amount for which people can

apply for capital repairs. Under the NDP it was 3%; under these guys it's going to go up to 4%. That's already a change if you're a sitting duck, if you're staying at home.

1740

In addition to that, these Tories, these Reform-a-Tories, are going to pass the cost of utilities and taxes on to that bill. I tell you, they're going to see utility price increases, I can wager my life on that, and property taxes. Mel Lastman says they're not going to go up, but there is going to be a whole lot of pressure on M. Lastman to keep that lid down as Mike Harris is cutting and cutting. If they see no money coming down, they've got to raise property taxes to maintain a certain modicum of social services.

If you're staying at home, you're a sitting duck, and that's a problem.

The other problem: Once you leave, the decontrolling, the government calls this negotiation. The landlord can negotiate with the tenant or, vice versa, the tenant can negotiate with the landlord. How do you negotiate with a landlord? The person who's got the gun is the landlord. If you as a tenant don't want to pay his or her price, you're gone. The landlord doesn't have to listen to you. That's called negotiation. Negotiation, in my view, has from time to time two equal parties where you negotiate. This is not an equal partnership. A landlord's got the money and the power, and the tenant has no power, so there is no negotiation.

We're talking about "costs no longer borne will no longer be withdrawn from the rent." That means tenants will pay for a new fridge, for example, while continuing to pay for the old one in their rent.

The rent registry is eliminated. That's what kept track of the problem of landlords charging too much or not telling the information that should be passed on to the tenant. A registry did that. This is gone.

Maintenance: Sure, they've increased the fine for maintenance, but what does it mean? If the new municipality doesn't have the money to enforce this, it means nothing. Without the money, the municipality cannot enforce the rules. They're not doing it now and they're not going to be able to do it in the future.

Section 200 — by the way, the final point I will make on this — is a section that will permit discrimination to happen. This is what it says:

"(3) The right under section 2 to equal treatment with respect to the occupancy of residential accommodation without discrimination is not infringed if a landlord uses in the manner prescribed under this act income information, credit checks, credit references, rental history, guarantees or other similar business practices which are prescribed in the regulations made under this act in selecting prospective tenants."

What this section says is that landlords can use income information, and the next section says, "But they can't discriminate." Ha. A lot of good that's going to do. How are you going to monitor that? How are you going to enforce that? What the first part of section 200 does is legitimize the discrimination that is happening at the moment. What it's saying to the landlords is that they can

continue to discriminate because there is never going to be any way to prove that they're not using income information to discriminate.

This bill is an abomination. The duplicitous nature of this title and the content is abominable. This is not for tenants. Tenants need to know this. Tenants need to link themselves up with the teachers in their struggle to fight this government. We will not be able to save you from this bill because they're going to pass it in a matter of days, but you can link yourselves up with teachers, with people in the health care system, who are very worried about what's happening in this province to all the essential services that have made us different. I urge tenants who are watching and listening to call us and to get involved to fight this government.

Mr Christopherson: I appreciate my colleague from Fort York's sharing with me some of the meagre amount of time he's been given as our critic. I first of all want to compliment him on the excellent job he has done all the way through on this bill. He has done an outstanding job on behalf of our caucus and on behalf of the people who are going to be hurt once again by this government.

I only have a very few minutes —

The Speaker: Member for Hamilton Centre, it's kind of unusual, but this clock isn't right. That clock is right. The problem is that —

Mr Pouliot: Oh, the old clock trick now?

The Speaker: I understand. There is nothing I can do, but if you want to, you may seek unanimous consent for five minutes. I know it's not your fault. I didn't realize it was slow either, but that's the clock we have to go by. Is there unanimous consent for five minutes for the member for Hamilton Centre? Agreed? Agreed. Go ahead.

Mr Christopherson: Thank you, Speaker, and I appreciate the indulgence of all members in light of the fact that the clock is wrong.

Interjections.

The Speaker: Do you know what, member for Hamilton Centre? The member for Brant-Haldimand has said he said no.

Mr Christopherson: What?

The Speaker: The member for Brant-Haldimand said no.

Pursuant to the order of the House dated June 2, 1997, I am now required to put the question. Mr Leach has moved third reading of Bill 96. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members; this will be a five-minute bell.

The division bells rang from 1746 to 1751.

The Speaker: Mr Leach has moved third reading of Bill 96. All those in favour, please stand one at a time and be recognized by the Clerk.

Ayes

Amott, Ted
 Baird, John R.
 Barrett, Toby
 Beaubien, Marcel
 Boushy, Dave
 Carroll, Jack
 Chudleigh, Ted
 Cunningham, Dianne
 Danford, Harry
 DeFaria, Carl
 Doyle, Ed
 Fisher, Barbara
 Flaherty, Jim
 Ford, Douglas B.
 Fox, Gary
 Froese, Tom
 Galt, Doug
 Gilchrist, Steve
 Grimmett, Bill
 Guzzo, Garry J.
 Hamick, Charles

Hastings, John
 Hodgson, Chris
 Jackson, Cameron
 Johns, Helen
 Johnson, David
 Johnson, Ron
 Jordan, W. Leo
 Klees, Frank
 Leach, Al
 Leadston, Gary L.
 Martiniuk, Gerry
 Maves, Bart
 McLean, Allan K.
 Munro, Julia
 Murdoch, Bill
 Mushinski, Marilyn
 Newman, Dan
 O'Toole, John
 Ouellette, Jerry J.
 Palladini, Al

Pettit, Trevor
 Preston, Peter
 Rollins, E.J. Douglas
 Ross, Lillian
 Runciman, Robert W.
 Saunderson, William
 Shea, Derwyn
 Skarica, Toni
 Smith, Bruce
 Sterling, Norman W.
 Tascona, Joseph N.
 Tilson, David
 Tsubouchi, David H.
 Turnbull, David
 Vankoughnet, Bill
 Villeneuve, Noble
 Wettlaufer, Wayne
 Wilson, Jim
 Wood, Bob
 Young, Terence H.

Nays

Bisson, Gilles
 Boyd, Marion
 Bradley, James J.
 Brown, Michael A.
 Caplan, David
 Christopherson, David
 Churley, Marilyn
 Cleary, John C.
 Conway, Sean G.
 Crozier, Bruce
 Cullen, Alex
 Duncan, Dwight

Gerretsen, John
 Grandmaître, Bernard
 Gravelle, Michael
 Hampton, Howard
 Kennedy, Gerard
 Kormos, Peter
 Kwinter, Monte
 Lalonde, Jean-Marc
 Laughren, Floyd
 Lessard, Wayne
 Marchese, Rosario
 Martel, Shelley

Martin, Tony
 McLeod, Lyn
 Miclash, Frank
 Patten, Richard
 Phillips, Gerry
 Pouliot, Gilles
 Papatello, Sandra
 Ramsay, David
 Ruprecht, Tony
 Silipo, Tony
 Wildman, Bud
 Wood, Len

The Speaker: All those opposed, please rise one at a time and be recognized by the Clerk.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 61; the nays are 36.

The Speaker: I declare the motion carried. Be it resolved that the bill do now pass and be entitled as in the motion.

It being close to 6 of the clock, this House stands adjourned until 1:30 of the clock tomorrow.

The House adjourned at 1755.

LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Speaker / Président: Hon / L'hon Chris Stockwell

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Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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Algoma	Wildman, Bud (ND)	Halton North / -Nord	Chudleigh, Ted (PC)
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Beaches-Woodbine	Lankin, Frances (ND)	Hamilton East / -Est	Agostino, Dominic (L)
Brampton North / -Nord	Spina, Joseph (PC)	Hamilton Mountain	Pettit, Trevor (PC)
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Brantford	Johnson, Ron (PC)	High Park-Swansea	Shea, Derwyn (PC)
Bruce	Fisher, Barbara (PC)	Huron	Johns, Helen (PC)
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Cochrane North / -Nord	Wood, Len (ND)	Lambton	Beaubien, Marcel (PC)
Cochrane South / -Sud	Bisson, Gilles (ND)	Lanark-Renfrew	Jordan, W. Leo (PC)
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Eglinton	Saunderson, William (PC)	Mississauga North / -Nord	Snobelen, Hon / L'hon John (PC) Minister of Natural Resources / ministre des Richesses naturelles
Elgin	North, Peter (Ind)	Mississauga South / -Sud	Marland, Hon / L'hon Margaret (PC) Minister without Portfolio (children's issues) / ministre sans portefeuille (enfance)
Essex-Kent	Hoy, Pat (L)	Mississauga West / -Ouest	Sampson, Hon / L'hon Rob (PC) Minister without Portfolio (privatization) / ministre sans portefeuille (privatisation)
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Etobicoke-Lakeshore	Kells, Morley (PC)	Niagara Falls	Maves, Bart (PC)
Etobicoke-Rexdale	Hastings, John (PC)	Niagara South / -Sud	Hudak, Tim (PC)
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Fort York	Marchese, Rosario (ND)		
Frontenac-Addington	Vankoughnet, Bill (PC)		
Grey-Owen Sound	Murdoch, Bill (PC)		
Guelph	Elliott, Brenda (PC)		
Halton Centre / -Centre	Young, Terence H. (PC)		

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Oriole	Caplan, David (L)	Scarborough-Ellesmere	Mushinski, Marilyn (PC)
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		York Mills	Kennedy, Gerard (L)
		York-Mackenzie	
		Yorkview	
		York South / -Sud	

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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Lyn McLeod, John R. O'Toole, Bruce Smith
Clerk / Greffière: Tonia Grannum

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Adoptée	13060

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**Legislative Assembly
of Ontario**

First Session, 36th Parliament

**Assemblée législative
de l'Ontario**

Première session, 36^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Wednesday 19 November 1997

Mercredi 19 novembre 1997

Speaker
Honourable Chris Stockwell

Clerk
Claude L. DesRosiers

Président
L'honorable Chris Stockwell

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 19 November 1997

*The House met at 1331.
Prayers.*

WEARING OF GREEN RIBBONS

Mr David Caplan (Oriole): Mr Speaker, I seek unanimous consent to wear the green ribbon.

The Speaker (Hon Chris Stockwell): I can't even seek unanimous consent as long as you're wearing the green ribbon. You're going to have to take it off before you can even get the floor.

Mr Caplan: Okay, I'll take it off and then seek unanimous consent.

The Speaker: The member for Oriole is seeking unanimous consent to wear a green ribbon. Is the House agreed? I heard a "no."

MEMBERS' STATEMENTS

EDUCATION REFORM

Mrs Sandra Pupatello (Windsor-Sandwich): I would like to speak today about the Liberal Party's opposition to Bill 160. This is very reminiscent of the kind of legislation that was brought into California in 1976 with their referenda legislation, which essentially barred states from raising taxes for a whole variety of purposes without first being able to gain that support through referenda in the state of California. What that led to at that time was a proliferation of charter schools. The complete dissatisfaction of middle-class America in California because the public school system was simply not funded adequately led people to pull their children from those schools and move them into private schools.

The similarities here are quite startling, because this government has already cut millions upon millions from our public education system. We know the results of that: Kids who have needs simply are not having those needs met in our public education system today, thanks to Mike Harris.

Now we see with Bill 160 items like the amendment tabled and passed yesterday to remove the word "advisory" from parent school councils. What does that truly mean? It means that those parent councils are indeed not advisory but will be subjected to playing the role of something far more significant. Those parent volunteers who have been there to add to the classroom, add an advisory capacity, are now going to be forced to do we

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 19 novembre 1997

don't know what, because regulations have not been tabled to tell us that.

We fear that charter schools are just around the corner, and our party is completely opposed to that.

FIREFIGHTING AND AMBULANCE SERVICES

Mr Peter Kormos (Welland-Thorold): Privatization is very much a consistent theme with this government. Just a few weeks ago, training officers from a number of Ontario firefighting services were up at the Ontario Fire College in Gravenhurst. That's a facility directly responsible to the Solicitor General. While they were there, they were subjected to a presentation, a pitch by the notorious Rural/Metro, the corporate, private, for-profit firefighting company out of the United States, based in Arizona, which is poised to take over firefighting services and ambulance services across this province, as they have through much of the United States, replacing professional firefighters, among others, with what amounts to nothing more than scabs.

This government's naïve, indeed stupid and blind belief that non-profit public services are by definition bad and that the private, for-profit, corporate sector is good is ill informed, in fact incredibly dangerous and foolhardy.

Insurance rates and user fees rise and appear in areas which utilize private firefighting services. We now can count on our emergency services, and they have to be equally available to all members of this province and every member of every community. With privatized firefighting services, that's not going to happen. This government and Rural/Metro are putting lies and —

The Speaker (Hon Chris Stockwell): Thank you.

EDUCATION REFORM

Mr Douglas B. Ford (Etobicoke-Humber): Some call it rhetoric, others call it foolishness, but when it comes to union leaders attempting to force into schools misinformation about Bill 160, students in Etobicoke have their word: "brainwashing." As reported in today's Etobicoke Life newspaper, students felt the need to start a blue ribbon campaign because, in their own words, "We felt we were being brainwashed by the union leaders."

I know my friends on the other side of the chamber are uncomfortable to know that their campaign against Bill 160 is getting resistance within the school system. They should also be embarrassed that it's the students who are crying foul.

During the last few weeks, I've spoken to frustrated parents upset about innocent children coming home with union-fed, bogus information. I have spoken to teachers who have been threatened by goons for not marching to the union beat.

Now students in support of Bill 160 are speaking out. The students point out that union leaders have only been using parts of the bill in an attempt to win people over, and fellow students are reacting positively.

There is no doubt about it. The holier-than-thou circus across the floor has hit a real milestone. Students, the very group they pretend to be protecting, have stood up and are fighting back. The public's frustration with union rhetoric is growing, and I commend the students at Silverthorn Collegiate for their initiative.

HEALTH CARE FUNDING

Mr Gerard Kennedy (York South): It will be heartening to the people of Ontario to see, finally, one of the ministers of this government reflect where it's coming from, when we had the Minister of Health say this week that there is no vision and no plan in the Harris government for health care. She said that to the Waterloo Record and she said it again to the Ontario Hospital Association.

If you live in York region, if you live in Durham region or Peel or Halton, you found out yesterday that you're the latest people to get let down by the Harris government when it comes to health care. In the 905 area, they're being shortchanged in a way that isn't reflected in the big, bold headlines today. Those large sums of money being talked about are nothing compared to what's in the deadly details of the announcement dropped on them by the hospital destruction commission of the Harris government.

Only one half of the money needed for those areas was provided in the announcement to deal with growth. No attention was paid to the fact that these areas have been underfunded for years in the past, because it's not provided for by this government. Hospitals like Mississauga General have to take over the operations of Queensway General Hospital with no extra money, or with not nearly enough extra money to deal with it. They're losing \$79 million. A hospital is being closed in Whitby and the growth money they are depending on right now could be taken away. This indeed is a disappointment. The losses are real, and the promises are going to be paid off in Monopoly money.

If the government truly cared, they would have a growth policy, but then, to do that, they would have to have a policy at all.

Interjection.

The Speaker (Hon Chris Stockwell): Minister of Agriculture, come to order.

1340

EDUCATION REFORM

Mr Bud Wildman (Algoma): Despite the teachers' support for the new standard report card and testing and

the ongoing curriculum change, this government is running advertisements trying to give the impression to the public that teachers and teachers' federations are opposed to educational reform. They state in their ads, "The union bosses want to protect the status quo." Today, I have a package, a CD-ROM and three booklets, produced by the Ontario Secondary School Teachers' Federation. One is entitled Corrections, dealing with curriculum design; another, Assessment for Success, which deals with testing; another is Career Education. These are examples of about 40 different educational documents produced by the OSSTF to help teachers deal with change in our society.

The ministry has talked a lot about change, but they have produced nothing. All they've produced is attack ads against the teachers which distort the position the teachers take. This is a dissemination of misinformation about Bill 160. It's time the ministry was straight with the public and stopped trying to shore up the waning support for Bill 160. It's time the ministry started cooperating with teachers and teachers' unions to ensure that change is designed to improve the quality of education for our teachers and our students in the classroom. It's time this government really cared about quality education.

ROTARY CLUB OF GRAND BEND NATURE TRAIL

Mr Marcel Beaubien (Lambton): I am pleased to rise in the House today to inform you and my colleagues of the Rotary Club of Grand Bend nature trail in my riding of Lambton. The trail was officially opened on September 28. The seven-kilometre trail connecting the village of Grand Bend and the Pinery Provincial Park is the result of three years of dedication and hard work.

The trail was made possible by a partnership between the Rotary Club of Grand Bend and the town of Bosanquet. The 30-member club raised \$150,000, and the town provided the engineering, tendering and accounting. More facilities are planned for the future to complement the trail, such as a toboggan run, soccer pitches and other recreational facilities.

This type of partnership is what Ontario is all about. I encourage more municipalities to consider this approach with service clubs, private business and residents when providing new services to communities. The Rotarians of Grand Bend can take great pride in their accomplishment, and I commend them for making our community a better place to live.

EDUCATION REFORM

Mr Rick Bartolucci (Sudbury): Our visual today, in showing support for the parents, teachers and students who are opposed to Bill 160, is a display of green apples on each of our members' desks. Speaker, because we want to comply with the rules of the House, we are going to remove the green apples from our desks right now.

However, something far more critical is being removed from education because of Bill 160. Let me read you a

portion of a letter that has been sent to every francophone parent council across Ontario:

"Attention all parent councils"

"In the way of political protest against the Harris government's Bill 160, we are asking all parent councils of the province of Ontario to submit, en masse, their resignations from their respective councils. This is a concrete way of showing our displeasure with the reforms to the education system and to demonstrate, without precedent, our support of the administrators and teachers with whom we work so closely in our schools."

So far, there are countless schools across Ontario doing that. Areas from Cochrane, Raymore, River Valley, Sturgeon Falls, Lavigne, Field, Timmins, Kirkland Lake, Thorn, Sudbury — all schools submitting their resignations from the parent councils. Will this government and will the minister wake up? Bill 160 is bad for education.

TVONTARIO

Mr Floyd Laughren (Nickel Belt): This government is looking at privatizing TVOntario, a service that 97% of all households receive, a service which encourages children to learn in a fun and commercial-free way. TVOntario is a service Ontarians want to keep. We have built the system up to its award-winning status and we are not going to just hand it over without a fight to some private broadcaster.

The government says it is consulting with people about TVOntario, but these consultations are a sham. The panel is going to only six communities for three hours each. At the consultations, there is no opportunity for people to make presentations and to tell the government to keep TVOntario.

Instead of encouraging people to make presentations, the panel divides them into groups and gives them six questions to discuss with other participants. The comments are then filtered and then given to the panel.

People want TVOntario retained and improved. I encourage people from in and around Toronto to come to the Metro Toronto Convention Centre tonight at 5 pm to get information from the TVOntario Matters Coalition, and then at 7 pm, go to the panel and give them hell.

MICHI CORP

Mr Bill Grimmett (Muskoka-Georgian Bay): I am proud to be able to inform the Legislature about the ongoing economic growth and investment in my riding of Muskoka-Georgian Bay. On Tuesday, October 28, it was my pleasure to attend a reception hosted by Michi Corp in Midland. I was proud to join others in the community in welcoming this new employer to the Muskoka-Georgian Bay economy.

As some of you will know, the former Mitsubishi plant closed its production of television picture tubes last year. It has now been purchased by entrepreneurs, and over the next two years the owners plan to invest \$5 million to \$7 million in this new facility.

Approximately one third of the 372,000 square feet of the floor space in the plant will be used by Michi Homes to produce modular homes. This venture is expected to create up to 120 new jobs, with the date for full production set for March 1998. The owners are looking at the deep-water ports of Midland or Port McNicoll for shipping their product to market.

The remaining floor space of the plant will be redeveloped and leased to as many as 16 different businesses. Already, many interested parties have come forward and an estimated 100 new jobs will be produced. Extensive preparation to meet the needs of tenants for the remaining available space is under way, and the owners tell me the focus will be on new businesses that have export potential.

In addition to the obvious jobs that will benefit from this project, there will also be renewed confidence in the local economy for the people of my riding. I am very proud to make this announcement.

VISITORS

The Speaker (Hon Chris Stockwell): I would like to inform the members of the Legislative Assembly that we have in the Speaker's gallery today His Excellency Gordon D. Giffin, ambassador of the United States of America to Canada. Welcome.

He is accompanied by Mr Gregory Johnson, consul general of the United States of America in Toronto. Welcome, sir.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Mr Bernard Grandmaître (Ottawa East): I beg leave to present a report from the standing committee on public accounts and move the adoption of its recommendations.

The Speaker (Hon Chris Stockwell): Does the member wish to make a brief statement?

Mr Grandmaître: I have the privilege of tabling the 1996-97 annual report of the standing committee on public accounts.

Last fall we began the lengthy but productive process of examining 13 sections of the Provincial Auditor's 1996 annual report. We held public hearings with appropriate officials and staff from five ministries.

The report summarizes our findings, as well as those of the auditor, and includes 29 recommendations. Six of those recommendations relate to the Ministry of Health's assistive devices services activity; another five deal with the Ontario Transportation Capital Corp's Highway 407 central project. Many of the recommendations include deadlines. In each of these cases we have asked the ministries involved to report back or to appear before the committee.

At this time I would like to thank the members of the committee and staff who worked so hard for the last six months.

I move the adjournment of debate.

The Speaker: Mr Grandmaitre moves adjournment of the debate. Is it the pleasure of the House that the motion carry? Carried.

STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Mr Gerry Martiniuk (Cambridge): I beg leave to present the report from the standing committee on administration of justice and move its adoption.

The Speaker (Hon Chris Stockwell): Shall the report be received and adopted? Agreed?

Mrs Lyn McLeod (Fort William): On a point of privilege, Mr Speaker.

The Speaker: I'm in the middle of a motion and a vote. I can't take a point of privilege.

Interjection.

The Speaker: It matters not. It's a vote.

Mr Bud Wildman (Algoma): Speaker, is the motion debatable?

The Speaker: No, it's not.

Pursuant to the standing orders of the House dated October 6, 1997, the bill is ordered for —

Interjection.

The Speaker: I'm sorry. It was a "no." I didn't hear that.

All those in favour, please say "aye."

All opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1351 to 1356.

The Speaker: All those in favour please rise one at a time to be recognized by the Clerk.

Ayes

Amott, Ted
Baird, John R.
Barrett, Toby
Bassett, Isabel
Beaubien, Marcel
Boushy, Dave
Carr, Gary
Carroll, Jack
Chudleigh, Ted
Clement, Tony
Danford, Harry
Doyle, Ed
Ecker, Janet
Elliott, Brenda
Fisher, Barbara
Flaherty, Jim
Ford, Douglas B.
Fox, Gary
Froese, Tom
Galt, Doug
Gilchrist, Steve

Grimmett, Bill
Guzzo, Garry J.
Hardeman, Ernie
Hamick, Charles
Hodgson, Chris
Johns, Helen
Johnson, Bert
Johnson, David
Jordan, W. Leo
Klees, Frank
Leach, Al
Marland, Margaret
Martiniuk, Gerry
McLean, Allan K.
Munro, Julia
Murdoch, Bill
Mushinski, Marilyn
Newman, Dan
O'Toole, John
Ouellette, Jerry J.
Palladini, Al

Parker, John L.
Pettit, Trevor
Ross, Lillian
Runciman, Robert W.
Sampson, Rob
Shea, Derwyn
Sheehan, Frank
Spina, Joseph
Sterling, Norman W.
Stewart, R. Gary
Tilson, David
Tsubouchi, David H.
Turnbull, David
Vankoughnet, Bill
Villeneuve, Noble
Wettlaufer, Wayne
Witmer, Elizabeth
Wood, Bob
Young, Terence H.

Nays

Agostino, Dominic
Bartolucci, Rick
Bisson, Gilles
Boyd, Marion
Bradley, James J.
Brown, Michael A.
Caplan, David
Castrilli, Annamaria
Christopherson, David
Churley, Marilyn
Cleary, John C.
Conway, Sean G.
Crozier, Bruce
Cullen, Alex
Curling, Alvin
Duncan, Dwight
Gerretsen, John
Grandmaitre, Bernard
Gravelle, Michael
Hampton, Howard
Hoy, Pat
Kennedy, Gerard
Kormos, Peter
Kwinter, Monte
Lalonde, Jean-Marc
Lankin, Frances
Laughren, Floyd
Lessard, Wayne
Marchese, Rosario
Martel, Shelley

Martin, Tony
McGuinty, Dalton
McLeod, Lyn
Miclash, Frank
Morin, Gilles E.
North, Peter
Patten, Richard
Phillips, Gerry
Pupatello, Sandra
Ramsay, David
Ruprecht, Tony
Silipo, Tony
Wildman, Bud
Wood, Len

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 61; the nays are 44.

The Speaker: I declare the motion carried.

Pursuant to the order of the House dated October 6, 1997, this bill is ordered for third reading.

MINISTER'S COMMENTS

Mrs Lyn McLeod (Fort William): Mr Speaker, I rise on a point of privilege, and if I recall your ruling yesterday, you defined a point of privilege as something which makes it virtually impossible for a member to do his or her duty in carrying out our responsibilities for legislation.

You will be aware, Mr Speaker, that the committee whose report we just received completed its clause-by-clause hearings yesterday under a time allocation motion. At 5 o'clock yesterday afternoon, according to that time allocation motion, all debate was cut off and further amendments could not even be read; they simply had to be voted on. That's not my point of privilege. I know it's a time allocation motion, and as much as I think it is undemocratic, it has to stand; you can't alter that.

But what happened yesterday was a rather unusual occurrence. I would ask you whether or not it constitutes a violation of privilege. From my perspective it made it impossible for me to continue the work I was asked to do as a member of that committee.

It was approximately 20 minutes to 5, with 20 minutes left to consider amendments. We were approaching a series of amendments and the portions of the bill dealing with the power of the cabinet to set taxation bills, property tax bills, through cabinet without any reference back to the Legislature through statute. Obviously, Mr Speaker, that's a concern for us. That's not the point of privilege.

What happened at that moment in time was that we had a verbal report at our committee that the Minister of Education, whose bill we were considering, was at a committee next door, informing the members of that committee that he required those powers only for a limited period of time, only through the transitional period. We had just dealt with a number of sections of that very bill which limited the powers of cabinet to the period of transition that the minister in estimates committee was talking about.

The Speaker: All those opposed please rise one at a time to be recognized by the Clerk.

Quite frankly, we did not know, as opposition members, how to proceed with the taxation portions of that statute, given the fact that what was in the bill we were being asked to consider was in direct opposition to the statement of intent that the Minister of Education was making to the committee next door.

I believe, Mr Speaker, that made it virtually impossible for me to responsibly carry out my duties as a legislator. I would ask you to rule on it as a point of privilege.

Mr Bud Wildman (Algoma): Mr Speaker, you'll recall that I rose to ask for unanimous consent earlier this week to prevent the two committees from sitting at the same time dealing with the same policy area, on education. That unanimous consent was withheld by the members of the government party, so we had the situation where two committees were sitting simultaneously in rooms adjacent to one another. The minister made a statement in the estimates committee, as was outlined by my friend from Fort William, which was at variance with the bill and the amendments we were dealing with in the standing committee on justice.

We sought clarification from the parliamentary assistant who was carrying the bill. He could not give an explanation as to why there was this difference. We then attended the estimates committee and sought clarification from the minister. At length, the minister apparently made the statement that this was only for a transition period, despite the fact it doesn't say that in the bill, but he refused to define what the transition period might be.

This puts the members of the Legislature, of the assembly, in a very difficult position as we go to third reading, when we have to determine how we're going to vote on this bill. We don't know whether this power of regulation over taxation for education purposes is in fact going to be a permanent matter, or a matter that will be in place for some time and perhaps repealed at some future date by new legislation, or whether this is only for a transition period, and if so, what that period is.

Surely, it's incumbent upon the government to clarify this so that the members of the assembly and the public will know what exactly is intended by this government that apparently now has the regulatory power over \$6 billion in education taxes in the province.

The Speaker (Hon Chris Stockwell): Basically — I will go to the government House leader if he chooses — you have a difference of opinion between what the bill says and what the minister has said. The fact is that probably could be a difference of opinion between what you think and possibly what the minister thinks. It may be a good question for question period, but with great respect, I'm not sure how it falls under a privilege point.

Are you being intimidated, not being able to do your job? Is there some portion of the privilege you're making that encumbers you in going about your business to do your job as an MPP? This is a difference of opinion, maybe a fundamental difference of opinion, and in the worst-case scenario it may be a mistake, but the fact is it's not an argument of privilege. Maybe you can help me.

Mrs McLeod: Mr Speaker, I think your point would be well taken if the bill we were considering in committee was not the bill presented by the Minister of Education himself. It was his bill. We're not now talking about a difference of opinion; we're talking about what the minister's bill says versus what the minister himself was saying. At the least — I look for parliamentary language — members who were dealing with the legislation were operating under a basis of misinformation about the government's intent and whether the legislation reflected the government's intent.

The Speaker: All I can do to help you there is that if you believe there is some difference between the intent of the bill and what the minister has said, then it's incumbent on you to make a decision on whether to vote in favour of the bill or oppose the bill. That's the decision you have left. It's not up to me to determine who's right, whether the bill is right, whether the minister is right. I can't get into that particular debate. And it isn't a privilege argument you're making here. It may be a good argument, it may be an argument for question period, it may be an argument for debate, but it's a decision you're going to have to take unto yourself, as to whether you support Bill 160 or whether you don't support it, and thereby is your decision.

Mr James J. Bradley (St Catharines): Mr Speaker, on a point of order: Perhaps you can help me out. Is it true that under the new rules we're not allowed to debate this report from the committee to this House the way we used to be able to under the old rules? Is that true?

The Speaker: I believe that under the rules you're not allowed to debate under the time allocation motion. There are many time allocation motions moved, but under this time allocation motion it's not debatable.

Mr Bradley: You're saying further debate has been cut off then.

The Speaker: What I'm saying is it's not debatable. Again, those are definitions.

INTRODUCTION OF BILLS

THE LONDON COMMUNITY FOUNDATION ACT, 1997

Mr Bob Wood moved first reading of the following bill:

Bill Pr91, An Act respecting The London Community Foundation.

The Speaker (Hon Chris Stockwell): Is it the pleasure of the House that the motion carry? Carried.

Ms Marilyn Churley (Riverdale): On a point of privilege, Mr Speaker: As you know, November is Wife Assault Prevention Month. I am asking for the third time this week for unanimous consent for all-party statements on Wife Assault Prevention Month.

The Speaker: The member for Riverdale is seeking unanimous consent. Agreed? I heard a no.

Interjections.

Mrs Marion Boyd (London Centre): Why don't you guys want to talk about it?

The Speaker: Order. The member for London Centre, come to order, and the member for Kingston and The Islands.

1410

ORAL QUESTIONS

EDUCATION FINANCING

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Minister of Education. You will be pleased to know there has been another significant addition to that growing list of people in this province who are opposed to Bill 160. Not only are teachers, parents, students and your own backbenchers opposed to Bill 160, but we now understand from today's newspaper that you yourself have some very, very serious reservations about one particular aspect of this bill. You're saying that taxation without representation is not on, that the bill should not contain that kind of a provision. I want to tell you, Minister, that on that score we agree completely.

You know this is wrong. You know this is fundamentally against everything you stand for as taxfighters, and that is this ability you're now going to reserve unto yourselves to raise taxes in a back room, without debate in this Legislature. Will you do the right thing now and withdraw this bill?

Hon David Johnson (Minister of Education and Training): The government's position on education property taxes is very clear; I might say clear, unlike the position of the Leader of the Opposition on the right to strike for teachers, whereby the Leader of the Opposition in 1993 said that teachers should not have the right to strike and then apparently three weeks ago urged them into an illegal strike.

This government's commitment is to reduce the residential component of the property tax by 50%; to freeze the other half of property taxes for education purposes so that they don't go up; to establish that through regulation in 1998, as is contained in the bill, entirely consistent with what's contained in the bill, the regulatory power in the bill. It's the intent of the government to move to a legislative process in the future.

Mr McGuinty: Because I know the minister hasn't had time to read the bill, I want to just bring to his attention the specific provision. Section 257.12 says, "The Minister of Finance may make regulations...prescribing the tax rates for school purposes."

There is nothing in here whatsoever to indicate that this is for purposes of transition or that it's of a temporary nature or that there's any kind of a sunset provision. If you insist that is in fact the case, then why don't you do it right now? Put it in the bill.

Just in case you forget already what you said yesterday, I'll quote for you. "Mr Johnson said the power to levy the \$6 billion in taxes would be a temporary measure, but he

refused to say when it might end or why the government would not set a timetable for legislative approval of the new levy."

Here's a direct quote of something you said: "A taxing authority of this nature should be debatable, rather than being set in regulation." We agree completely. So why don't you put it in the bill today?

Hon David Johnson: This government is clear on what needs to happen in terms of financing of education. First of all, there needs to be a process to move from the system we have today, an orderly process which is going to be governed by that regulation on page 132 of the bill, the regulatory process contained in the bill. The taxes are going to be frozen so that there is no increase in property taxes. This may be something the Liberals are not too keen on. The Liberals may want property taxes for education purposes to go up.

Between 1985 and 1990, there were 242 boards across —

Interjections.

The Speaker (Hon Chris Stockwell): Order. Members for Scarborough-Agincourt and Ottawa West, come to order, please. I'd like to hear the minister's response.

Hon David Johnson: The problem has been the huge increases in property taxes because of education, particularly during the Liberal regime, 1985-90: 242 municipalities had to increase tax rates by over 40% during that period of time. That is the Liberal record. That is what we're trying to address.

Mr McGuinty: It's important for you, minister, and I think it's even more important —

Mr Garry J. Guzzo (Ottawa-Rideau): You weren't here then.

The Speaker: Order. I'll remind the member for Ottawa-Rideau that heckling is out of order. You're now out of order. I won't warn you again. Leader of the official opposition.

Mr McGuinty: Minister, I'm not sure that you have clearly explained to your back bench what this provision is all about, because it stands against everything you ever stood for in this House. If this party, the NDP, had introduced this kind of provision, you folks would have been swinging from these chandeliers. You're talking about giving the right to yourself, or to the Minister of Finance in the next government, the power solely, without bringing it into this Legislature, to raise taxes. There is no limit on that power to raise property taxes throughout the province.

You know in your heart of hearts this is fundamentally wrong, and so does every backbencher. You're asking Jack Carroll, you're asking Doug Rollins, you're asking Frank Sheehan to support this provision. They can't. You're making it really hard for them. They understand their seats are at stake. Will you do the right thing and withdraw this bill?

Hon David Johnson: Our members know a couple of things on this matter. One, they know there is a Liberal legacy of tax increases, tax increases at the provincial level, tax increases at the municipal level, huge property

tax increases associated with education. That's what the people of Ontario know and our members know.

Second, they know that this system, whereby we've taken half of the burden off the residential property taxpayer, whereby we will be freezing through regulation the property tax payments in 1998, will result in a fairer, lower system of property taxes to the people of Ontario.

In the future, it is the intent of the government to move to a legislative process to deal with it, but in the immediate future this must be dealt with through regulation to ensure that the skyrocketing tax increases suffered under the NDP and the Liberals do not continue into the future.

1420

VISITORS

The Speaker (Hon Chris Stockwell): I'd like to inform the members of the Legislative Assembly that we have in the Speaker's gallery today members of the Ontario-Quebec Parliamentary Association, led by Mr François Beaulne, accompanied by Mr Pierre Marsan and Ms Claire Vaive. Welcome.

EDUCATION REFORM

Mr Dalton McGuinty (Leader of the Opposition): My second question is also for the Minister of Education. Not only does it appear that you want to do things in back rooms under cover of darkness, but also we now understand that if anybody disagrees with you, you are prepared to punish them. That's exactly what you've done when it has come to Ontario's principals and vice-principals.

Everybody knows that the only reason you're going to do what you're about to do to our principals and vice-principals is because they had the guts to stand up in the interests of public education in Ontario.

Listen now, Minister. You've had time. It's time for cooler heads to prevail. You now understand the important role our principals and vice-principals play in the school setting. Will you agree, now you've had that time to reconsider and to understand that this is not about vindictiveness and it really shouldn't be about bullying, that those principals and vice-principals should continue to play the role they're now playing?

Hon David Johnson (Minister of Education and Training): I agree with the Leader of the Opposition in that principals and vice-principals do — certainly, they do — play a very important role, not only in the education system but in their communities. Principals and vice-principals are looked to as leaders within our various communities across Ontario and that's very much a role that I fully anticipate they will continue to play within the community, within the education system.

This action was taken because the principals and vice-principals are in a position of conflict, a position of conflict in which very few other people in Ontario or in Canada would find themselves, in that they have a very

key and important management role to play within the schools, and at the same time they're members of the union, and those other members of the union are the very members who report to them and over whom they have those management responsibilities. The action was simply taken to clarify that situation and take them out of the position of conflict.

Mr McGuinty: Minister, really, I don't know how you can stand there and say that. That's not washing. Nobody buys it. Everybody in Ontario who has followed this debate closely, followed this controversy concocted by your government in the first place, understands that the only reason you have lashed out at our principals and our vice-principals is because they stood up for public education and against what you're trying to do to it through your bill.

Even the former Minister of Education, John Snobelen — you can't get much lower on the education totem pole than that — said you've got to keep the principals and vice-principals where they're at right now. All the principals want to do is get on with their work. All you want —

Interjections.

Mr McGuinty: Our principals and vice-principals just want to get on with the work and you still just want to get even. You don't understand that every time you try to get even, that you try to punish somebody in the education sector, it's our students who are paying the price. Why don't you call a truce and kill the bill?

Hon David Johnson: First of all, I think I should say that the leader of the opposition may wish to reconsider his personal attacks on one of the members of the government. We have a tradition in this House —

Interjections.

The Speaker (Hon Chris Stockwell): Member for St Catharines, take your seat, please. Minister.

Hon David Johnson: I could just say that we have a time-honoured tradition in this House of attacking policies — that's fair game — but not attacking individuals.

Mr McGuinty: It's interesting to note the indignation on the part of government members, but where was the indignation when they cut \$17 million from children's aid societies? Where was the indignation when they cut health care? Where was the indignation when they cut classroom spending in Ontario?

Interjections.

The Speaker: I think it's enough now. I would ask all sides to come to order, please.

Interjection.

The Speaker: Members for Cochrane North and Sault Ste Marie, I'm not into a debate, I'm asking you to come to order.

Mr Gilles Pouliot (Lake Nipigon): Go and walk around Regent Park, Janet. It's a different world out there.

The Speaker: Member for Lake Nipigon, please. I don't want to debate it.

Interjection.

The Speaker: Look, I don't need any help from the government side about whom to throw out and whom not to throw out. Thank you very much.

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Mr McGuinty: We have always known that this is a government made up of bullies. We have always known that they have refused to listen, but there is a new, additional and interesting element to this particular bill, and do you know what it is? The cracks have finally started to show.

Elizabeth Witmer, the Minister of Health, says she disagrees with the notion of what the government is about to do to principals. She is joined in her reluctance on this matter by Noble Villeneuve, the Minister of Agriculture. The parliamentary assistant to the Minister of Education says the same thing when it comes to principals and vice-principals, that it's the wrong move. You yourself, Minister of Education, have said that taxation without representation, as it's found in this bill, is a bad thing.

Parents are against this bill. Teachers are against this bill. Trustees are against this bill. Your back bench is against the bill. Half of the cabinet is against the bill. Why don't you do what's right and withdraw it?

Hon David Johnson: I think the real problem of the leader of the official opposition is that this government is doing what it said it would do, for the first time in the history of Ontario.

Interjections.

The Speaker: It's a blanket warning. Consider that you are all warned. No more heckling, please.

Hon David Johnson: We have a government that said it would eliminate the deficit; we are on track to do that. We said we would create jobs in the province of Ontario; 270,000 jobs were created in the last two years. We said we would spend at least \$17.4 billion or more in health care; it's exactly what we're doing. We said we would reform the education system and redirect the funds back into the classroom, where they deserve it, make the reinvestments that are needed to improve the quality in our education system in the province, and that is exactly what we are doing. We are living up to our commitments.

EDUCATION FINANCING

Mr Howard Hampton (Rainy River): My question is for the Minister of Education, and it's a very simple question: Does the Minister of Education believe in taxation without representation?

Hon David Johnson (Minister of Education and Training): Obviously, this goes back to the same issue. I've made the position of the government clear in that matter. The position of the government has been that, first of all, we take half the property taxes off the residential taxpayer; second, the government, through the regulations contained in the bill, will freeze this year or next year the taxation component so that taxes do not go up. That will be dealt with in regulation, as is contained within the bill. In the future, it is the government's intention to go towards a legislative process to deal with this matter.

Mr Hampton: I asked the Minister of Education a simple question: Does he believe in taxation without representation? He tried every way he could to avoid the question. The reality is here, that your government will set \$6 billion in taxation behind closed doors, without any public input, without any public debate, without any public representation. That is about as anti-democratic as you can get.

To underline how anti-democratic this is, I'm going to send the minister a box of tea. If you know anything about history, you will know that taxation without representation began a revolution that was heard around the world. Would you give the minister his box of tea, please?

Minister, I ask you again: Do you believe in taxation without representation, without public input, without public debate, without any participation by the public at all? Do you believe in that? That is what you are trying to do through Bill 160.

Hon David Johnson: I think the problem the leader of the third party is having with the government's approach is that he knows that this government is intent on not having taxes increase, unlike the NDP government, which put taxes up 33 times in their five years in government, which saw the deficit of the province balloon and the debt of the province balloon. This government is different. This government is putting taxes down. This government has lived up to its commitment to reduce the provincial income tax and this government will live up to its commitment to freeze the residential portion of the property tax for the people of the province and at the same time guarantee a high-quality education system.

Mr Hampton: The Minister of Education and this whole government try very hard to miss the central point of democracy, that what you set out in Bill 160 provides for taxation without representation, provides for taxation without any input from the public, provides for one of the key decisions to be made behind closed doors, in secret, by your government. This is what Bill 160 stands for. It stands for cutting education funding behind closed doors, without any public input. It provides for taxation without any public input, behind closed doors. Do you understand, Minister, how anti-democratic this is? Do you understand that this flows against all the principles that this country and this province have been organized around?

If you have any respect for democracy, you will withdraw Bill 160. Will you do that? Will you respect democracy and withdraw Bill 160?

Hon David Johnson: For the people of the province of Ontario, for senior citizens, for businesses, for people trying to pay their property taxes, the central issue is that the NDP wants higher taxes. This government does not. The NDP wants higher spending. This government does not. The NDP loves deficits. This government does not. That's the central issue.

The property tax will be frozen; the 1998 rates will be the same as the 1997. In the future, once we've gone through this period, once this system is working well, the government will move to a legislative process to deal with this matter.

Mr Hampton: The only conclusion we can draw is that this is a government that does believe in taxation without representation. That is the only conclusion we can draw.

But I want to go back to Bill 160 in general. What we found out in this Legislature over the past few weeks is that Bill 160 and the deputy minister's performance contract contain a cut of \$667 million to classroom funding in the next year alone, to be done behind closed doors, without any public input. Now we see that it provides for taxation without representation.

Minister, I'm going to give you an out here. This is your government's report on referenda. Your government wants and believes in referenda. You say that more questions should be decided by referenda. By your own government's rules, I ask you today, will you give the people of Ontario a say? Will you call a referendum on Bill 160, under your own rules?

Hon David Johnson: The people of the province have been voicing their opinion for years on this matter, for decades. There has been study after study after study about the education system, about improving the quality, about the financing: the Royal Commission on Learning, the Education Improvement Commission, eight studies this decade alone in terms of reforming the education system to make it better. Indeed, the former Minister of Education from the NDP is saying: "Get on with the reforms in education. It is time to go ahead with the reforms in education." It would be easy to not move, to stall like the NDP government did, to stall like the Liberal government did, but this government is going to move forward.

Interjections.

The Speaker (Hon Chris Stockwell): Member for Ottawa West, I've warned so many members. I've warned you for the last time. I name the member for Ottawa West, Mr Cullen.

Mr Cullen was escorted from the chamber.

Interjections.

The Speaker: Members, look, I know what I'm doing here, thank you very much. I appreciate your help.

Is this some kind of stunt, throwing a green apple?

Interjection.

The Speaker: Then I'd ask you to leave now, please.

Interjections.

The Speaker: To the rest of the members of the Legislature, this has been a very cantankerous question period. I don't want any more heckling. You're all on the same footing. I will only hear the questioners and the responses. It's just too much out of control.

I was with the minister.

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Hon David Johnson: We can find any number of reasons to stall and delay, and I am sure the leader of the third party has excellent ways and means to achieve further delay of the reform within the system, but for the sake of our children, for the sake of taxpayers and the people of Ontario, it's time to move ahead with the reform, to improve the quality in our system.

Mr Hampton: How can you stand there and say that?

The Speaker: Leader of the third party, I've just told everyone you can't heckle. I appreciate the fact you're upset. I appreciate everyone's upset. There is no more heckling. Minister.

Hon David Johnson: For the sake of accountability and efficiency within the system, this government believes it is now time to move ahead with this legislation and indeed all the reforms within the education system.

Mr Hampton: The Minister of Education tries to make trivial comment about one of the fundamentals of democracy. One of the fundamentals of democracy is that governments should not be allowed to raise or put taxes upon people without representation, without public debate.

I would say one of the other fundamentals is that a government should not be allowed to interfere or otherwise attack such an important public institution as education without public debate and public representation, but that is what you are trying to do through Bill 160.

Your own legislative committee said the government of Ontario should introduce legislation authorizing the holding of provincial referenda. Recommendation 2: "The Legislative Assembly should have the discretion to order the holding of a referendum on any matter of public concern."

I put to you that Bill 160 and the condition of our education system is a matter of serious public concern. Will you give the people of Ontario a say? Will you hold a referendum on Bill 160 under your own rules?

Hon David Johnson: I agree absolutely with the leader of the third party: This is a most important issue. This is an issue that is very important to the people of the province and the children. But in terms of stalling and delaying, what we're stalling and delaying on are reforms to ensure that the taxes associated with the education system don't continue to escalate. We're stalling on reforms which would give our students more instructional days in the classroom at the secondary level and at the elementary level. We're stalling on reforms which would limit class sizes so that class sizes don't continue to increase and increase, which is certainly not adding to the quality of our system. We're stalling on reforms which would make qualified individuals available to complement the teachers in the classroom.

Are those the kinds of reforms the leader of the third party would wish to stall and delay on? I hope not. This government is prepared to move forward at this time on all those reforms, including the curriculum, the report card, all the reforms to the education system.

Mr Hampton: Almost everything the Minister of Education now referred to is not in Bill 160. This is not about stall and delay. This is about the fundamentals of democracy, that your government should not be allowed to impose taxes without representation from the people, that your government should not be able to cut and destroy an important public institution like education without input from the people. This is not about delay. This is about the fundamentals of democracy.

Since your government is not prepared to give people a say, you're not prepared to have a referendum, you don't

trust the people of Ontario to have a say about education taxes and about education funding, I'm announcing today, along with the East End Parents' Network, that we will begin such a referendum campaign. I say to all those people out there that if they will take this petition and if every teacher and every parent who is out there on a picket line gets 10 people to sign, then by your own rules you should hold a referendum.

The Speaker: Question, please.

Mr Hampton: Minister, if we gather the signatures, will you hold a referendum on Bill 160? Will you respect the wishes —

The Speaker: Minister.

Hon David Johnson: What this is about is improving the education system. What this is about is what parents have been asking for for decades and decades. We have excellent teachers within the system. We have leadership in terms of our principals and vice-principals. But the system needs to be reformed. That's what this government is doing, before Bill 160, through Bill 160, and after Bill 160: before Bill 160 through the curriculum, through the report cards, through the testing; through Bill 160 through guaranteeing average class sizes don't increase, through mandating and ensuring the school councils are there to contribute to the accountability and the quality of our system, through ensuring more instructional days. In the future, I look forward to reforms around early childhood education, through secondary school reform, through the apprenticeship program.

These are the kind of reforms and this I is what —

Interjection.

The Speaker: Order. I don't need help, Minister, from you in how to manage this House. I don't tell you how to run your ministry; don't tell me how to manage this House. I don't need help from any members here. It's a difficult period. I don't want your assistance at this point in time. And don't heckle the Speaker.

Hon David Johnson: That's what this bill is about, that's what the government's total program is about, and that's what we are intent on proceeding with.

The Speaker: New question, official opposition.

EDUCATION REFORM

Mrs Lyn McLeod (Fort William): My question is for the Minister of Education. You have now finished ramming through your amendments to Bill 160 and your amendments make the bill even worse, even more frightening, than it was before.

One of the things that you did yesterday was take the word "advisory" away from the definition of school councils. Minister, every single parent council representative who made submissions to the committee hearings on Bill 104 and on Bill 160 made it absolutely clear they do not want to manage their schools; they want their involvement to stay advisory.

Why did you fly in the face of every parent council representative and their wishes and change the bill so that school councils are no longer advisory?

Hon David Johnson: The only desire of the government in terms of the school councils is to ensure they have an active role within their schools and involvement to approve the accountability of the system, to approve the quality within the system. The Education Improvement Commission, as I'm sure the member opposite knows, is looking at the role of the councils, of the school boards, and will be reporting in the near future. I look forward to the recommendations coming forward through the Education Improvement Commission in terms of determining what precise roles and functions the councils should have.

I think we would all agree that we want to see these councils active within their community, active within their schools and contributing. That is the desire and the goal of the government.

Mrs McLeod: You had a bill yesterday that said school councils would be advisory. You brought in an amendment and you made them no longer advisory. I was at every committee hearing on Bill 104 and every committee hearing on Bill 160 and I can tell you that the only people who wanted school councils to be more than an advisory capacity were the ones who wanted to abolish school boards altogether and wanted to be free to establish their own charter schools. That's what this is all about. They're the ones who felt your Bill 160 didn't go nearly far enough, Minister, so you decided you would listen to them — just that handful of people and your own appointed head of your parent council — and you changed the bill. Now parent councils across this province are terrified about what you're going to ask them to do. We today have had already 17 parent councils resign from their responsibilities.

We all know that what you've done is open the doors wide open to charter schools and to the privatization of public education. Will you reassure people, tell them categorically today you won't be turning the management of schools over to parent councils and you will not be launching charter schools across Ontario?

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Hon David Johnson: The school councils today are governed by policy memorandum 122, which sets out their role. I think what we need to do is have a little bit of patience and not exaggerate the situation. There has been no change made to this point. The Education Improvement Commission is looking into the roles, the functions, along with the school boards. Let's have the patience to wait until the Education Improvement Commission reports. Let's look at what the Education Improvement Commission recommends, and then I think we can move forward with a positive approach.

The Speaker: New question, leader of the third party.

Mr Hampton: A question to the Minister of Education again. You talk a good line about Bill 160 and education funding, but let's review the events of the last few weeks.

I disclosed the deputy minister's performance contract, which shows that your government has a plan to cut a further \$667 million from elementary and secondary classrooms this year. Then yesterday I disclosed a private and confidential letter from education finance officials

across the province who have seen your proposed education funding formula, and they make the point that this is all about cuts; it's not about adequate funding. Then we find out last night that the new Toronto Board of Education, in the next half year alone, will face a \$60-million cut, just in a half year alone.

When are you going to come clean with the people of Ontario about your funding formula, about how much you intend to cut education funding just as you're cutting it here within Metropolitan Toronto? When are you going to do that?

Hon David Johnson: I think there are three different issues that the leader of the third party has raised. One is the comments from the 11 officials, which pertain to the stub year. They do not pertain to the general funding formula; they pertain to the stub year.

We have listened to various officials over the summer; there has been consultation in the fall. The Ministry of Education officials are looking at the results of that consultation, will take into account the 11 officials and their thoughts, and will be coming forward in the near future with the formula, with the stable funding in the stub year.

In terms of the Metropolitan Toronto board, there has been a situation with regard to assessment appeals. This is a matter that is being looked at in the same context, and that matter will be reviewed and considered along with the other problems that are being faced.

Mr Hampton: Minister, this is all about cuts to education, and don't try to weasel out of it any other way. Everybody up here in the press gallery has a copy of that letter from those education finance officials, and they know that it refers to the stub year and they know that the funding formula refers to the ongoing years. Those education finance officials pointed out to you that your education funding formula that they have seen so far is all about imposing cuts on the classroom from the top, imposing cuts on children by you, and it's not about anything more.

Here we are six weeks before these new boards are going to be brought into existence. You want a bill passed, Bill 160, that allows you to cut education funding behind closed doors, that allows you to raise taxes behind closed doors without public representation, that allows you to do all these things, and you're not willing to come clean with people about how it's all going to be done.

The Speaker: Question, please.

Mr Hampton: You won't share the funding formula. Minister, withdraw Bill 160 —

The Speaker: Thank you.

Hon David Johnson: Let me say once again that in terms of the stub year, the various business officials from the various school boards from across the province were consulted during the summer. There was a further consultation process in the fall. We welcome the comments in the letter that has come forward recently.

Mr Hampton: A letter was sent to you on October 31. A letter was sent to you quite recently.

The Speaker: Leader of the third party, I've warned you enough times. You're heckling the Minister of Education. I'll have to name you. Mr Hampton.

Mr Gilles Pouliot (Lake Nipigon): Put him in a straitjacket.

The Speaker: I'm sorry, I just can't control the House with heckling.

Mr Hampton was escorted from the chamber.

Interjections.

Mr Pouliot: This is Bill 160 and this is our leader.

The Speaker: Mr Pouliot, I'll name you if you don't either take your seat or move. Minister?

Hon David Johnson: We welcome all these comments. There is a process going on. I guess the leader of the third party would have us come out partway through that process with a product that wasn't finished, that wasn't fair, that didn't take into account all the factors, but we're not going to do that. We're in the process of reviewing all the input we've received in the fall, through the summer. We've guaranteed that the funding will be stable for the stub year leading through to September next year, that there will be no cuts in grants, that there will be no cuts in the taxes. They will have this information later this year and this will carry them through in a more than adequate fashion with the kind of funding they have today right through the stub year until September 1998.

BEER AND LIQUOR SALES

Mr John O'Toole (Durham East): My question is for the Minister of Consumer and Commercial Relations, the minister who was most recently awarded the Windsor Star Rose Award.

Minister, last Friday you announced that as of December 7 all LCBO and Brewers' Retail stores will be permitted to open on Sundays on a year-round basis. Reaction from my constituents to your announcement has been generally very positive. Under your leadership — I believe that this type of decisive announcement was long overdue.

It is important that my constituents of Durham East know exactly what factors influenced this government's decision to permanently open beer and liquor stores on Sunday. Minister, could you tell my constituents and indeed the members of this House exactly what these factors were and how the beer and liquor outlets will be determined, what stores will be opening on Sundays to ensure that this is a cost-effective program.

Hon David H. Tsubouchi (Minister of Consumer and Commercial Relations): I thank the member for Durham East for the question. It is true that consumers across the province have indicated to us that they want the convenience to shop at the LCBO and the beer stores on Sunday.

We ran a series of pilot projects last year just before Christmastime and the year before that, and the five Sundays in August of this year. We had the results of some polling that indicated about 65% of the people in the province supported being able to buy at the LCBO stores and the beer stores on Sunday. Not surprisingly, almost 90% of people who shop at the LCBO and the Brewers' indicated their support as well.

But this is not anything new. Certainly people had the opportunity before this to purchase alcohol in the province of Ontario. There are over 350 wine stores, distilleries and beer stores that sell on Sunday. In addition to that of course there are about 10,000 establishments which serve alcohol on Sunday. We are looking to make sure there is a business case provided to make sure that any of the openings that do occur in the beer stores and the LCBO stores make sense.

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Mr O'Toole: Minister, clearly you have done your homework. The decision was made after the successful number of factors that you've indicated, such as the pilot projects and that the individual store openings will be assessed on a business case basis. I am impressed. However, some municipalities throughout the province have some concerns about having their stores open on Sunday. Local councils, like Scugog and Clarington in my riding, want you to understand how a community feels about this issue. If municipalities in my riding do not wish to have beer and liquor stores open on Sunday, can they express this concern to the LCBO? Was this the case during the pilot project?

Hon Mr Tsubouchi: Just to put some context to it — if I look back at the pilot projects we had in August, we had five Sunday openings in Ontario, we only received 17 communities who decided not to participate in the project. We anticipate somewhat less this time. I must say that the municipalities have merely to indicate to the LCBO that they do not want to participate in the Sunday openings and that's all they need to do.

This is another example of our government, which will listen to the people and to the consumers, looking for ways in which to benefit both the consumer and the taxpayer in this province. We will not accept the status quo on this nor on any other issue. We are constantly looking for ways to make the system more efficient. We're looking for ways to modernize the LCBO to make it more accountable to both the taxpayer and the consumer in the province. We will continue to review any and all of our options to modernize the system. It's only through the benefit of the taxpayer and the consumer in Ontario and their suggestions that we're able to continue on in this initiative.

GOVERNMENT ADVERTISING

Mr James J. Bradley (St Catharines): I have a question for the Minister of Education. Yesterday I brought to your attention the great concern in this province about the vitriolic and vicious attack by this government on members of the teaching profession in the province of Ontario and on school boards, where you say: "The union bosses want school boards to keep the power to raise your property taxes. Higher taxes, bigger classes, less time teaching kids — that is what the union bosses want to protect." Many people are appalled at this kind of vicious attack on those who deliver front-line education services in the province.

Even the person sitting beside you, the Honourable Elizabeth Witmer, Minister of Health, former chair of the

board of education in Waterloo, has expressed her concern when she says, "It would be better to run ads that provide information about the facts contained in the legislation."

If you won't listen to those of us in the opposition, if you won't listen to fairminded people across the province who are turned off by these kinds of vicious attack ads, will you at least listen to Elizabeth Witmer and her good common sense in this and withdraw those ads from the air today?

Hon David Johnson (Minister of Education and Training): There is a need for each government to communicate. This government certainly has not attacked teachers. This government thinks very highly of teachers. This government understands the role of the teachers in the school, in their communities. But the fact of the matter is that the unions representing the teachers have negotiated higher class sizes. This is a fact that's happened in a number of instances across the province of Ontario. There is a need to proceed with reforms that have been resisted by the teachers' unions. The government has to deal with that particular set of circumstances.

I know that the Liberal government, when it was in office, in 1989-90 spent over \$13 million — you know that — which is less than this particular government has spent in the last fiscal year on advertising. Each government has to communicate with the people of Ontario in terms of the difficulties it faces. That's what this government is doing.

Applause.

Mr Bradley: I'm surprised to hear Conservative members applauding that answer, unless they want to get into the cabinet or ingratiate themselves to somebody, because we're not even talking about the cost — and you're running up the cost every time you have a new set of ads with your propaganda on some issue. We're talking about the most vicious, vitriolic kind of attack ads that we've ever seen in this province, paid for by all of the taxpayers of Ontario, ads which must make many of the government members feel very uneasy.

We have a person who has a good reputation in education, the Honourable Elizabeth Witmer, member for Waterloo North, who on the CBC today, in an interview outside of cabinet, has expressed her concern about the nature of the ads, asking that you provide information rather than having attack ads which try to place in the most unfavourable light people who are dedicated to delivering education services to the students. Will you now withdraw that set of ads?

Hon David Johnson: I am going to interpret the member for St Catharines' question in a broader context. Maybe what he's saying in broader context is, looking into the future, what do I see in terms of the relationship between the government and the teachers and indeed everybody involved in the education system? I am going to say that I look forward to the day, and I think it'll be in the near future, when we will sit down to debate and discuss and work together in terms of all components — quality components, the curriculum, early childhood education, all aspects of the education system — because we need to

work together. We need to have the teachers, the principals, the directors, the school boards, the Ministry of Education, all the members of this House, working together for the betterment of our education system and the future of our children. That's what I'm hoping we can all do at some point in the future, and I think it'll happen. I look forward to that day.

HEALTH CARE FUNDING

Mr Tom Froese (St Catharines-Brock): My question is to the minister responsible for seniors: My constituency office has received a number of calls from seniors who have been notified by the Niagara Community Care Access Centre that they will see a reduction in service level in the near future. I know you are aware of the situation, as you and I met with the CCAC on November 6. Could you tell the House and my constituency what this government is doing to ensure that the Niagara region receives its fair share of health care dollars?

Hon Cameron Jackson (Minister without Portfolio [Seniors Issues]): I'd like to thank the member for St Catharines-Brock, and I'd also like to thank the members for St Catharines and for Lincoln, who joined me on November 6, when I travelled down to visit first hand the Niagara CCAC situation. All members will be aware that Niagara has been traditionally underfunded by previous governments. Through an equity fund we have injected an additional \$5.8 million into that region in a one-year period. That's a 23% increase in home care funding into this area.

I know that my colleagues on all sides of the House were concerned that the CCAC was informing not only the local MPPs, but the minister responsible for long-term care, myself, as well as the long-term care office for the first time that day. We are working closely with this community care access centre, but I must share with the House that we've also written off a one-time grant of \$1.4 million to the previous provider of the program, the Niagara regional health unit, for deficits they ran in preceding years. I think this government has acted very responsibly, in an accountable fashion, by injecting considerable new dollars, recognizing growth in the Niagara region.

Mr Froese: With all the money that's being added to the home care budget for Niagara, why are the seniors being warned of reductions to their service?

Hon Mr Jackson: I want to assure the members from the Niagara region that there is also a whole envelope of community-based support services that are being provided outside the community care access centre; that's about \$400 million in the province. There are some announcements still under consideration by my colleague the Minister of Health and myself, and we look to make further announcements in the next while.

However, the situation in Niagara seems to be that instead of looking on a case-by-case basis — each person who is receiving care in that region — they have chosen to tell everyone that there will be a service reduction. We

have told them that a more caring and sensitive and accountable way of dealing with client services is to begin reviews and evaluations on a case-by-case basis. By doing it that way, you avoid making wrong decisions about withdrawal of services, and we want to ensure that this government is deeply committed to making sure no one has a reduction in services if they need service. We don't wish that to occur and we believe the guidance we have given Niagara will assist them in doing that.

1510

EDUCATION REFORM

Mr Alvin Curling (Scarborough North): I hosted a press conference with the Scarborough Parents for Music Education. They were saying very strongly, "Don't take \$667 million out of education through Bill 160 to fund your tax cut." They also said that if you do, their children's music program will be cut and their children's education will be compromised. These students have won international music competitions. Agincourt Collegiate, to which one of the ministers went, is one example, where out of 1,600 students, 700 participate in the music program. Music education, as you know, has significant effects on higher brain functions of young minds. Whatever your first language or your culture, music connects students.

Since this government says it's committed to improving the education performance of all students in Ontario, will you guarantee that music will be part of your core curriculum from kindergarten to secondary school graduation? Further, will you guarantee that adequate funding to support excellent and equitable music programs in every school will be maintained in this province?

Hon David Johnson (Minister of Education and Training): I will certainly guarantee equitable funding. That's what the funding formula being devised by the Ministry of Education is all about. But I'm pleased to see that the Ontario Catholic School Trustees' Association also believes that. It's not just the government that believes that, but the Ontario Catholic School Trustees' Association says that the province, through the provincial grant system, will equalize board revenues, and as a result each board will receive equitable funding. That's not the government saying that; that's the Ontario Catholic School Trustees' Association saying that, that it will be in a fair and non-discriminatory manner.

This formula is being developed, with input from school boards, from trustees, from all components of school life in the province. It's to ensure a student grant, it's to ensure proper accommodation, to ensure proper circumstances. The draft has been out. The Ontario Catholic School Trustees' Association believes it's fair and equitable, and so do I.

Mr Curling: Minister, don't start playing games with the people. You're talking about "equitable." I said "adequate" funding. When you talk about equitable funding itself, are there adequate funds there? We know that if you

cut \$667 million out of this program, there won't be adequate funding there, so don't tell me about equitable. Oscar Peterson and many prominent people in our community, Ben Heppner and all who have written with great concern, say that if you do this, you're going to destroy one of the most fundamental things that enhance education.

I'm asking you again, will you give your word that the \$667 million that you will cut out of the education funding will not compromise musical education across Ontario, with which we have done so well? Your Minister of Consumer and Commercial Relations was at Agincourt Collegiate. He's an alumnus who understands that program. Will you now commit to me that you will not cut \$667 million out of the education fund?

Hon David Johnson: There was never a commitment to cut \$670 million out of the education system. It was viewed at one time that on behalf of the taxpayer this may be achievable, because there are some people in the province who believe that when you're spending over \$14 billion in the education system, there may be a little waste or a little duplication, that there may be an opportunity for the government to actually improve the quality of the system at the same time as recognizing savings from the system.

I can tell you that the mandate I have is to ensure that there is a high quality within the education system. I will guarantee through the funding formula that there is adequate funding to meet all the needs of the students of Ontario, but we won't spend any more money. We won't be spending money on a Taj Mahal, we won't be spending money where it isn't needed; we will spend precisely what we need to spend to ensure quality education and no more.

PETITIONS

EDUCATION REFORM

Mr John C. Cleary (Cornwall): "Whereas Bill 160 will seriously affect the quality of instruction in our schools, could lead to a unilateral education tax increase by the Minister of Education without consultation, in flagrant contempt for the democratic process and in violation of the rights of people to discuss taxes in a public forum, and will have a destructive effect on small, mid-sized and rural schools by designating voluntary activity in co-curricular areas as mandatory and reducing the number of sports, clubs and other activities; and

"Whereas Bill 160 would allow the Minister of Education to unilaterally set class size and eliminate preparation time for teachers without local input, recourse or limits, interfere with and undermine the teaching profession in this province;

"We, the undersigned, petition the Parliament of Ontario to pass a resolution to withdraw or substantially amend the proposed act now known as Bill 160."

I've also signed the petition.

MINIMUM WAGE

Mr Tony Martin (Sault Ste Marie): "Whereas the people of Ontario are being exploited by the right-wing agenda of Mike Harris; and

"Whereas those same people of Ontario need justice from this regime;

"We, the undersigned citizens of Ontario, petition the Legislative Assembly to increase the minimum wage to \$10 from \$6.85 an hour. If Mike Harris does not respond to the injustice he has created, Mike Harris should resign in utter disgrace."

This is signed by 430 people from across northern Ontario, and I affix my signature to this petition.

ABORTION

Mr Wayne Wettlaufer (Kitchener): I have a petition to the Legislative Assembly of Ontario.

"Whereas the Ontario health system is overburdened and unnecessary spending must be cut; and

"Whereas pregnancy is not a disease, injury or illness and abortions are not therapeutic procedures; and

"Whereas the vast majority of abortions are done for reasons of convenience or finance; and

"Whereas the province of Ontario has exclusive authority to determine what services will be insured; and

"Whereas the Canada Health Act does not require funding for elective procedures; and

"Whereas there is mounting evidence that abortion is in fact hazardous to women's health; and

"Whereas Ontario taxpayers funded over 45,000 abortions in 1993 at an estimated cost of \$25 million;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to cease from providing any taxpayers' dollars for the performance of abortions."

I affix my signature.

EDUCATION REFORM

Mr Peter North (Elgin): I have a petition to the Legislative Assembly of Ontario with regard to Bill 160.

"Whereas the provincial government, through Bill 160, has continued to undermine the democratic functions of the Ontario Legislature by moving decision-making from the legislative process to regulatory powers of cabinet; and

"Whereas the provincial government has ignored the majority of public opinion against Bill 160; and

"Whereas the provincial government, in an act of vindictiveness against teachers who protested against Bill 160, has introduced amendments to remove principals and vice-principals from their federations and thereby deny them collective bargaining rights; and

"Whereas it is clear that the government's agenda is to cut at least \$667 million from education spending and further undermine public education;

"We, the undersigned, petition the Legislative Assembly of Ontario to conduct a vote of non-confidence in the Ontario government and call for a provincial election."

I affix my signature thereto.

Mrs Lyn McLeod (Fort William): I have a petition to the Legislative Assembly of Ontario.

"Whereas we, the principals, vice-principals, teachers and parents of students of the Waterloo County Board of Education's elementary schools, believe that the membership of principals and vice-principals in their respective professional federations is an important factor in creating and maintaining a positive, collegial learning environment for students.

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That principals and vice-principals remain as members of the Ontario Teachers' Federation and its affiliates."

This is signed by several hundred residents of the Kitchener-Waterloo area, and I have affixed my signature.

CHIROPRACTIC HEALTH CARE

Mrs Marion Boyd (London Centre): I have a petition to the Ontario Legislature.

"Whereas the Ministry of Health has recently strengthened its reputation as the Ministry of Medicine through its \$1.7-billion, three-year agreement with the Ontario Medical Association; and

"Whereas the Mike Harris government is restricting access to alternative cost-saving treatments for the patients of the province; and

"Whereas two recent reports commissioned by the Ministry of Health called for increased OHIP funding to improve patient access to chiropractic services on the grounds of safety, effectiveness and cost-effectiveness; and

"Whereas over one million Ontario adults now use chiropractic services annually, increasingly those with higher incomes because of the cost barrier caused by government underfunding; and

"Whereas the Mike Harris government has shown blatant disregard for the needs of the citizens of Ontario in restricting funding for chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to recognize the contribution made by chiropractors to the good health of the people of Ontario, to recognize the taxpayer dollars saved by the use of low-cost preventive care such as that provided by chiropractors, and to recognize that to restrict funding for chiropractic health care only serves to limit access to a needed health care service."

I am proud to affix my signature.

1520

VETERANS' HIGHWAY

Mr John R. Baird (Nepean): I have a petition addressed to the Legislative Assembly of Ontario.

"Whereas Canadian and Allied veterans are recognized the world over for the effort they gave in fighting to preserve our free and democratic way of life; and

"Whereas the people of Ontario are forever grateful to the many dedicated men and women who bravely and unselfishly risked their lives for Canada; and

"Whereas too many Canadian children are unaware of the extraordinary courage and profound sacrifice Canada's veterans displayed in securing the safe and prosperous country we live in; and

"Whereas dedicating Highway 416 in memory of Canada's veterans would be an appropriate gesture of respect, reminding everyone of the contribution veterans have made to our society and preserving an important part of Canada's history;

"We, the undersigned, petition the Legislative Assembly of Ontario to name Highway 416 the Veterans' Memorial Parkway."

Because I am in complete agreement, I have affixed my own signature thereto.

EDUCATION REFORM

Mr Alvin Curling (Scarborough North): I have thousands and thousands of petitions to the Lieutenant Governor from many, many people in Scarborough North and the surrounding areas, especially in Conservative areas who they can't give petitions to. It says:

"We, the undersigned, are very concerned about the passing of Bill 160 in its present form. We feel that local control must be restored to local boards of education so that parents and teachers can continue to have input in the future of education. Funding must be provided to enable schools to continue to offer quality programs."

I affix my signature because I fully agree with this.

EDUCATION FINANCING

Ms Shelley Martel (Sudbury East): I have a petition addressed to the Legislative Assembly of Ontario which reads as follows:

"Whereas education is our future; and

"Whereas students and teachers will not allow their futures to be sacrificed for tax cuts; and

"Whereas students, parents and teachers will not allow the government to bankrupt Ontario's education system; and

"Whereas you cannot improve achievement by lowering standards; and

"Whereas parents, students, teachers want reinvestment in education rather than a reduction in funding; and

"Whereas students, parents and teachers won't back down;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly to withdraw Bill 160 immediately; and

"Further, be it resolved that the Legislative Assembly of Ontario instruct the Minister of Education and Training to do his homework and be a cooperative learner rather

than imposing his solution which won't work for the students, parents and teachers of Ontario."

This is signed by the parents who belong to the Markstay Public School parent council in my riding. I agree with them entirely.

EDUCATION REFORM

Mr Bert Johnson (Perth): I have a petition signed by about 90 people that was given to me by Carol Hodgins from St Marys.

"To the Legislative Assembly of Ontario:

"Whereas the parents and concerned citizens of Perth and Huron counties of Ontario wish to express opposition to Bill 160,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That Bill 160 be withdrawn for the following defects:

"(1) Centralizing the decisions, by politicians in Toronto, which impact on our children;

"(2) Limiting the decision-making powers of the parents councils and the boards of education;

"(3) Withdrawing the principals and vice-principals, who also have teaching responsibilities, from the bargaining unit."

I will sign it so that it can be dealt with by this House.

Mr Tony Ruprecht (Parkdale): This is to the Legislative Assembly of Ontario and it reads as follows:

"Whereas the Ontario government wants to take an additional \$1 billion out of the education system this year and every year; and

"Whereas the Ontario government has decided to hire uncertified teachers in kindergarten, libraries, for guidance, physical education, the arts and technology; and

"Whereas the Ontario government wishes to remove the right to negotiate working conditions; and

"Whereas the Ontario government would remove at least 10,000 teachers from classrooms across the province; and

"Whereas the Ontario government has become the sole decision-maker on class size, preparation time and the length of the school day; and

"Whereas the Ontario government proposes to take decision-making powers out of the hands of locally elected community-minded trustees,

"We, the undersigned Ontario residents, strongly urge the government to repeal Bill 160 and create an accessible public consultation process for students, parents, teachers and school board administrators to study alternative solutions that have universal appeal and will lead to an improved educational system."

I am affixing my signature to this document.

Mr David Christopherson (Hamilton Centre): I have a petition signed by over 3,000 Hamiltonians against Bill 160. This was coordinated by Liz Ruffall and Donna Brandow on behalf of the parents in the community of Hamilton-Wentworth. The petition — thousands of them — reads as follows:

"We, the undersigned citizens of Ontario, ask you, Mr Dave Johnson, Minister of Education, to withdraw Bill 160 on the grounds that it is flawed legislation that will (a) allow uncertified teachers to teach in the classroom; (b) cause a loss to kids of thousands of teachers and increase class sizes; (c) reduce teacher preparation time, which translates into less teachers and less time for students; and (d) allow the provincial government to set the education tax rate without provision for debate in the Legislature or at the school board level."

I proudly add my name to those thousands of Hamiltonians.

ABORTION

Mr Marcel Beaubien (Lambton): I have a petition addressed to the Legislative Assembly of Ontario and it reads as follows, and by the way it's signed by approximately 500 people:

"Whereas the Ontario health system is overburdened and unnecessary spending must be cut; and

"Whereas pregnancy is not a disease, injury or illness, and abortions are not therapeutic procedures; and

"Whereas the vast majority of abortions are done for reasons of convenience or finance; and

"Whereas the province has the exclusive authority to determine what services will be insured; and

"Whereas the Canada Health Act does not require funding for elective procedures; and

"Whereas there is mounting evidence that abortion is in fact hazardous to women's health; and

"Whereas Ontario taxpayers funded over 45,000 abortions in 1993 at an estimated cost of \$25 million;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to cease from providing any taxpayers' dollars for the performance of abortions."

EDUCATION REFORM

Mrs Sandra Pupatello (Windsor-Sandwich): A petition to the Legislative Assembly of Ontario:

"Whereas the government of Ontario is elected by the people to represent the citizens of Ontario; and

"Whereas the recent political protests have demonstrated that the proposed Bill 160 is a source of concern for a large portion of the Ontario electorate" — I would add that they certainly have included an understatement in this petition.

"We, the undersigned electorate of Ontario, concerned citizens, parents and teachers, ask the Minister of Education, the Premier and cabinet to delay passage of Bill 160. We ask the government to resume talks with teachers and revise, delete and make amendments to this bill which are acceptable to those parties."

I add my name to this petition.

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton Centre): I have petitions regarding the Workers' Health and Safety Centre and clinics signed by literally thousands of union members and their representatives from all across Ontario. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas approximately 300 workers are killed on the job each year and 400,000 suffer work-related injuries and illnesses; and

"Whereas the government of Ontario continues to allow a massive erosion of WCB prevention funding; and

"Whereas Ontario workers are fearful that the government of Ontario, through its recent initiatives, is threatening to dismantle workers' clinics and the Workers' Health and Safety Centre; and

"Whereas the workers' clinics and the Workers' Health and Safety Centre have consistently provided a meaningful role for labour within the health and safety prevention system; and

"Whereas the workers' clinics and the Workers' Health and Safety Centre have proven to be the most cost-effective prevention organizations funded by the WCB;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to immediately cease the assault on the workers' clinics and the Workers' Health and Safety Centre;

"Further, we, the undersigned, call upon the Legislative Assembly of Ontario to ensure that the workers' clinics and the Workers' Health and Safety Centre remain labour-driven organizations with full and equitable WCB funding and that the WCB provide adequate prevention funding to eliminate workplace illness and injury."

On behalf of my NDP caucus colleagues, I proudly add my name to those of these workers.

1530

ORDERS OF THE DAY

CITY OF TORONTO ACT, 1997 (No. 2)

LOI DE 1997 SUR LA CITÉ
DE TORONTO (N° 2)

Mr Leach moved third reading of the following bill:

Bill 148, An Act to deal with matters relating to the establishment of the new City of Toronto / Projet de loi 148, Loi traitant de questions se rapportant à la constitution de la nouvelle cité de Toronto.

Hon Al Leach (Minister of Municipal Affairs and Housing): I'll be sharing my time with the member for Scarborough Centre, the member for York East and the member for Scarborough East.

I'm pleased to be here today for the third reading of Bill 148, a bill that will ensure the continuity of services for the residents of the new city of Toronto.

Before I begin, I want to take a moment to recognize all those who put their names forward as candidates in the

municipal elections held across Ontario on November 10. Municipal councillors make a tremendous contribution to their communities and a tremendous contribution to this province.

These are important times for the municipal sector, and I look forward to working with the newly elected mayors and councillors. My congratulations go out to all those who were elected to represent their communities.

The November 10 elections also brought us a step closer to having one strong, unified city of Toronto that will improve economic development, reduce waste and duplication, save taxpayers money and provide better accountability.

Special congratulations go out to the new city of Toronto's first elected council and its first mayor-elect, Mel Lastman. Bill 148 will be of particular importance to them in the term ahead.

The City of Toronto Act, 1997, which was passed by this Legislature in April of this year, provides a framework to govern the new city of Toronto. It was drafted with the understanding that a companion piece of legislation would be required to deal with specific administrative, technical and transitional requirements.

Bill 148, the proposed City of Toronto Act, 1997 (No. 2), is that companion piece of legislation. It provides for legislative changes that would ensure the newly elected council has the legal and administrative authority it needs to function.

The bill serves three main purposes: It maintains certain boards and agencies, it ensures continuity of municipal services and it protects the pensions and benefits of the municipal employees and retirees.

The first purpose, maintaining boards and agencies, would ensure, for example, that the Toronto Transit Commission, Exhibition Place and the Metro zoo continue to operate in their usual manner after January 1, 1998.

The second purpose, continuity of service, would ensure the new city has the authority needed to provide the municipal services people expect, such as public transit. It would ensure that the services Metro Toronto residents use every day will continue uninterrupted when the new city comes into being on January 1, 1998.

The third aspect of this bill would protect pensions and benefits of municipal and local board members and employees and retirees. There is no question that these very important obligations should continue to be honoured by the new city. Bill 148 provides the legislative continuity required to ensure that they will.

It is important for residents to understand that continuity of services is a priority. Bill 148 will ensure that the transition to a unified city is smooth and is seamless. That priority is reflected in the content of the bill itself.

Bill 148 would give the new city of Toronto the legal authority, as its predecessors had under the Municipality of Metropolitan Toronto Act, to provide many services residents now take for granted.

The functions the city is being given authority to perform in this bill are very straightforward: Ambulance services would continue without interruption. Policing and

live-saving services for Toronto harbour would carry on as usual. Homes for the aged would operate without disruption. Conservation authority lands would continue to be maintained. The new city would take over the operation of the licensing commission. The Toronto Islands ferry would continue to shuttle residents and tourists across the harbour.

The new city would also be given the authority to plan and act in case of emergencies. It would enable the city to establish and operate controlled-access roads. The city would have the authority to enter into water supply and sewage treatment agreements, and it would also be able to properly dispose of liquid and solid waste.

As you can see, none of these are new or controversial powers. They are simply a continuation of the powers that have been afforded to Metro council in the past, powers which will allow the new city to carry out day-to-day responsibilities that the residents expect.

The bill before you also deals with some specific transitional issues.

Mr Dwight Duncan (Windsor-Walkerville): On a point of order, Madam Speaker: The minister always has interesting words. I would think we ought to have a quorum in the House to hear them.

The Deputy Speaker (Ms Marilyn Churley): Clerk, can you check and see if there's a quorum.

Clerk Assistant (Ms Deborah Deller): A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Deputy Speaker: Minister.

Hon Mr Leach: Now I'll have to start over from the top.

The bill before you also deals with some very specific transitional issues. For example, it provides that the current official plans for the Metro area will continue until the new council repeals or decides to amend them.

This bill confirms that there would be one public health board, one library board, one parking authority to ensure a cohesive structure is in place for the new unified city.

Last but not least, this bill would allow the new city council to develop an area rating system, which would help sort out any financial imbalances or any imbalances in service levels in the various municipalities. The new council could, for example, examine a former municipality's total financial picture and make adjustments to tax rates which would reflect its findings. In other words, if a former municipality had substantial reserves and very little debt or liability, the council could lower tax rates in that area, and can do so over an eight-year period, something I think is going to be a big help to many municipalities.

The transitional measures in Bill 148 are consistent with the interim recommendations released by the Toronto Transition Team on October 10.

Mr Tony Ruprecht (Parkdale): What about health inspectors?

The Deputy Speaker: Member for Parkdale, come to order.

Hon Mr Leach: Their interim report, Toronto: New City/New Opportunities, was well received during the recent public consultations, and the transition team's final recommendations to the new council are expected to be released shortly.

The structure for the new city of Toronto has been in place since April. The residents of the new Toronto have elected their first mayor, they've elected the council and the work of the Toronto Transition Team is nearly complete.

Bill 148 is small by comparison to these events, but it is important to the success of the new city's operation. It will ensure that Toronto's new mayor and the new council have the practical measures needed to provide the quality services its residents expect. It would also enable the new council to integrate services and eliminate waste and duplication, so that one fire department would replace six and one roads department would replace seven.

We all know Toronto is a world-class city. It will now have the population, the political representation and clout to ensure that the greater Toronto area and Ontario continue to be the economic engine of this country. It will have one unified voice to capture the imagination of business communities around the world, attracting investment and creating jobs.

We listened to the valuable input we received during the public hearings on Bill 148, and a number of very technical amendments have been proposed. This is administrative legislation, and the amendments reflect that.

1540

Mr Ruprecht: On a point of order, Speaker: I'm really sorry to interrupt the minister, because he's making some good points, but on one point I have to object: He's saying he listened to the residents of Toronto on this item.

The Deputy Speaker: Member for Parkdale, that is not a point of order.

Hon Mr Leach: Thank you, Madam Speaker. You would think that a member who has been in the House this long would know when a point of order is appropriate.

The City of Toronto Act, 1997 (No. 2) will ensure that the new Toronto city council has the authority needed to continue to carry out its responsibilities as of January 1, 1998. It will also reassure residents that the transition to their new city is well under way and that a more efficient, a more effective and a less costly government structure will result.

Mr Dan Newman (Scarborough Centre): It is my pleasure to participate in the third reading debate of Bill 148, the City of Toronto Act, 1997 (No. 2). As the minister I think so properly said today, this bill is about ensuring the continuity of service within the new city of Toronto and ensuring that boards and agencies continue to operate within this new city, which is being amalgamated from the parts of the old city of Toronto, from Scarborough, East York, North York, Etobicoke, York and Metropolitan Toronto. We're going from seven municipalities into one municipality and it's important, as the minister said, that we have a smooth and seamless transition to this new municipality.

I think it's important, when we look at Bill 148 as being the companion piece of legislation that we said would follow Bill 103, the City of Toronto Act part one, that currently within the seven municipalities in Metro, 72% of all municipal spending is already being spent for amalgamated services. We're not going from 0% to 100% in this case; we're going from 72% of all spending at the municipal level within Metropolitan Toronto to 100%. It's not 0% to 100% but rather 72% to 100%, and we're making that last step.

I think a lot of people over the years from all three political parties have stated that we should have a single unit within Toronto. I look back to John Wintermeyer, who was the leader of the Liberal Party in 1962. John Wintermeyer said: "There is no other logical solution for Metropolitan Toronto other than total amalgamation.... The metropolitan system of government is not the final solution. It is a step in between." That was his quote in the Toronto Telegram of August 4, 1962. The Liberal Party back in 1962 was advocating that a single municipality would be in order for Toronto.

It's also in keeping with what the Common Sense Revolution said. We stated on page 17 of the Common Sense Revolution, "We must rationalize the regional and municipal levels to avoid the overlap and duplication that now exists." That's what we're doing with this Bill 148.

In terms of the continuity of service — as the minister mentioned, several of the agencies and boards will continue to operate on January 1 — what we're doing is ensuring that we all have an enjoyable New Year's Eve, and that when we wake up the next morning all these agencies, boards, commissions and services are there to be provided for the people of Toronto.

What this bill allows is for the Toronto Transit Commission to continue to operate. I think that's very important. Madam Speaker, I know that in your riding, as in my riding, many people use public transit, and the Toronto Transit Commission is the way they travel to and from work. It allows for the operation of Exhibition Place and the Hummingbird Centre to continue, as well as the Metro zoo and the Guild Inn, which are located in Scarborough, where I hail from.

It also allows for the operation of ambulance services to continue. I think it's very important that those vital health services are there for the people of Toronto when they wake up on January 1, 1998, and know that there's that smooth and seamless transition to this new city of Toronto.

Mrs Marion Boyd (London Centre): On a point of order, Madam Speaker: I don't believe we have a quorum in the House.

The Deputy Speaker: Clerk, could you check and see if we have a quorum.

Clerk Assistant: A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Deputy Speaker: Member for Scarborough Centre.

Mr Newman: Thank you very much, Madam Speaker. With all the heckling from the Liberals over there today, I have a whole bunch of Mike Colle quotes that I might use, but I won't use those today.

It also allows for the operation of homes for the aged. I think that's something the member for Parkdale would want to see continue in his riding, as I do in my riding.

It also ensures that there are regulations in place for street vending within the new city of Toronto. I think that's something that's important.

It also provides police protection and lifesaving services for the Toronto harbour, another thing that is very important to the people of Toronto and something that we want to see is kept in place.

It also allows for the operation of conservation authority lands and exempts these lands from property taxes. I know that you, Madam Speaker, being a friend of the environment, would want to see those conservation lands being fully operational. That's why, if we all vote for Bill 148 today, this will continue.

It also allows for the resolution of any disputes regarding bridges and highways to continue, and that's something that's very important, as is the continuance of the operation of the licensing commission so that we have proper licensing in place here within the city of Toronto.

It allows for the operation of the Toronto Islands ferry, which is something many people in the city enjoy. I know many people from my riding enjoy going to the Toronto Islands during the summer months, and that's what they're going to see.

Mr Ruprecht: Don't we have that now?

The Deputy Speaker: Member for Parkdale, come to order.

Mr Newman: It also allows the new city of Toronto to plan and act in the case of emergencies. I can't think of something more important than that. About three weeks ago in Scarborough we had an overturned propane truck — I believe it was in the riding of Scarborough-Ellesmere at Highway 401 and Kennedy — and the emergency services people provided an excellent job to the people of that area in the evacuation and ensured that their community was safe. I just want to commend them for that.

It also allows the new city of Toronto to enter into water supply and sewage treatment agreements with other municipalities, and that's something that's very important.

It also allows for the new city to receive and dispose of liquid and solid waste, and that too is something that's important, as well as the establishment and operation of controlled-access roads.

What Bill 148 also allows, if passed by this House, is for the continuance of existing official plans unless or until the new city council wishes to make changes.

It also provides that pensions and benefits for municipal and local board employees and retirees continue, and that's something that's very important. These people have earned those benefits over the years and they're entitled to be sure that their payments continue because they have paid into that over those years.

It also allows for the operation to go from seven library boards to one library board, to go from six health boards to a single health board, to go from two parking authorities to one parking authority and to go from two historical boards to a single historical board. This is what Bill 148 allows.

It would permit the new council to continue different service levels, if it desired, and to recover those costs. So if one area wants to have a different level of service from another, Bill 148 allows that to happen. I think that's very important.

What I found interesting about Bill 148 — and I think we have to look at Bill 103 as well — is that several of the people who appeared before the standing committee on general government were elected representatives at the time, and many people spoke against Bill 103. But many of those same people who spoke against Bill 103 ran for office themselves in this last election, and some of them were elected and some weren't. But I think it was quite interesting to see that the very people who were against amalgamation sought to run in the election on November 10.

1550

Mr Ruprecht: No choice.

Mr Newman: They have choices, I say to the member for Parkdale. It's important that we look at those election results of November 10 and see that the people of Toronto voted for a mayor who is committed to freezing taxes for three years. A resounding message was sent by the electorate in Toronto that they want to see taxes frozen. I say congratulations to the new mayor of Toronto, Mel Lastman. I also congratulate Barbara Hall on running a fine campaign. I say to Mel Lastman that I will be his worst nightmare if he doesn't deliver the tax freeze to the people of Toronto, because I know the people in Scarborough voted for Mel Lastman and they want to ensure that a tax freeze does take place. That's something that's very important.

It's also important to look at that election and see the high voter turnout, that people were very interested in this election, that they are committed to seeing that the new city of Toronto works and that it works well. That's why I think the voter turnout numbers were about 60%, which is far higher than a normal municipal election that runs somewhere 25% to 30% or into the low 30s.

In terms of amalgamation, there are some quotes from some people that are important to be read into the record.

I think of what John Nunziata, the MP for York South-Weston, said in the Toronto Star, January 9, 1997. He said, "I think the megacity is going to provide some exciting new opportunities. It's going to make Toronto a better place to work, live and play and I think it's something that all residents should support." I'm not sure if he was a Liberal at the time that he said that — he may have been an independent — but he was still a member of the House of Commons.

Mel Lastman, when he was the mayor of North York back in 1983, said, "I have done a lot of soul searching lately and have come to the conclusion that it is ridiculous

to have six fire departments, six works departments and six of everything else in Metro." That was Mel Lastman in the Toronto Star, September 29, 1983.

Mel Lastman said in March 1984: "We look like idiots not amalgamating. Why do we have all these works departments and health departments, all this overlapping? Why do we need all these treasury departments and building departments? The work could all be done out of one big office." Or one single municipality I think is what he was really trying to say there in the Toronto Star, March 12, 1984.

There have been a lot of people who have said that. Madam Speaker, the Toronto Telegram in 1969 reported on the first New Democratic Party municipal nominating convention, something that I'm sure you are interested in. It says: "Their policy resolution papers for next weekend's first New Democratic Party nominating convention have proposed a whole new organization for Metro government and school board administration. The two major papers, which were released today, call for one large Metro council to govern an enlarged metropolitan area that would take in Markham, Vaughan and Pickering townships in an integrated municipality. A policy paper urging amalgamation of the city and the boroughs argues that there would be more equality of services and taxes across the whole Metro area and lead to many savings for the people." That's what the New Democrats were saying in 1969. I think that's quite interesting. They actually wanted to make the city larger than what we are proposing. That was almost 30 years ago. I know that interests you greatly, Madam Speaker.

I also looked at Christina Blizzard in the Toronto Sun, December 18, 1996. She said, "At last, someone has had the courage to go ahead and do what countless reports have urged for almost 30 years."

The Toronto Star said: "Replacing Metro's six mayors, councils and bureaucracies with one Toronto offers a chance to rid ourselves of needless politicians, red tape and duplication and to increase efficiencies of scale. Done right, it will bring better, more cost-effective government." The Toronto Star editorial, January 4, 1997.

We are doing it better and doing it right, which will lead to that more cost-effective government. That's what Bill 148, the companion piece of legislation to Bill 103, provides.

The Toronto Star continues in its support of amalgamation. January 6, 1997, some two days later, it stated: "Isn't it interesting that so many critics would lose prestige, if not a job, through amalgamation. Isn't it ironic that the cities of the deal all come from the school of urban thought that believes that community endlessly discussing every issue is more important than actually doing something." That was the Toronto Star; that wasn't anyone here in the government caucus saying that; that was the Toronto Star.

The Toronto Star said, December 18, 1996: "We applaud this government for setting Metro municipalities on the road to unification. Unified we will share each

other's triumphs and burdens, liabilities and assets and be secure in our collective thought."

John Bech-Hansen, the economist from the Toronto Board of Trade, stated: "This is an exciting opportunity to make what is already a great city even greater. We have been headed slowly in this direction ever since Metro was created in 1954." I think he was absolutely correct when he said that.

We looked at what Allan Lamport, the former mayor of the city of Toronto, said: "I have the greatest respect for our elected officials and I can't blame people in office for trying to stay in office" — that's what the member for Parkdale was alluding to — "but the fact is that Metro is one city, but it has seven city halls, six mayors and a chairman, seven huge administrations that are costly. This shows how things have gotten out of hand." Former Mayor Lamport was absolutely correct when he said that.

That's why making seven municipalities into one is so important for the taxpayers of Toronto, of Scarborough, of East York, of North York, of Etobicoke, of York and of Metropolitan Toronto. There are savings and efficiencies found from going to this one level of government. As I mentioned previously, 72% of municipal spending today is already for amalgamated services like police, like transportation, like ambulance and social services. It's important to go that last step to make it 100%.

Several critics during the Bill 103 hearings gave examples of other municipalities where amalgamation didn't work. What they were speaking about was the fact that municipalities were going from 0% of their budgets for amalgamated services and making that giant leap from 0% to 100%. I too would have had the greatest of concerns with amalgamation here in Toronto if we were going from 0% to 100%, if we had to amalgamate the police, if we had to amalgamate the ambulance services and transportation, the TTC and social services. That is already done. Yes, we will go from six fire departments to one.

One of the examples that people spoke about was Halifax. They spoke about how it had cost the people of Halifax and the three other municipalities that had amalgamated more money. It cost more money for several reasons. As I mentioned, they had no amalgamated services whatsoever. It had a rural and urban component, whereas here in the new city of Toronto we basically have an urban component, with the exception of the northeast part of Scarborough which includes the Rouge area that several people still like to refer to as a rural area. Clearly they had an urban and rural component in Halifax; we have an urban area here in the new city of Toronto. In Halifax they had to amalgamate the police, the fire and the ambulance, which are very difficult things to do here. We already have the police and the ambulance amalgamated.

What was interesting when those four municipalities formed that one single municipality, the workers who were working for those municipalities were technically laid off and given severance packages by their former municipalities but hired back the very next day. That drove the cost of amalgamation right through the roof in Halifax. I would agree, if we were doing things here in Toronto like

they did in Halifax, that the costs would be higher and amalgamation would cost more. But we're not.

We're going from that starting point of 72% of spending here. We're ensuring that the continuity of service continues. That's what Bill 148 is all about: ensuring that we have that smooth and seamless transition to that new city on January 1, 1998.

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When that first garbage pickup is made in Riverdale or in Scarborough, I don't think we'll notice a difference. Our garbage will continue to get picked up and we will continue to have and enjoy the services that we as taxpayers within that municipality enjoy. I think it's very important that this bill be passed. We have already had the election for the new city of Toronto, and I think it's very important that we get on with things and ensure that we do have that smooth transition, to ensure that places like the zoo, like the Guild Inn, which are located in Scarborough, and like the Hummingbird Centre in the city of Toronto and all other agencies, boards and commissions within the municipalities that are affected get on with things.

In closing, I just want to say that I will be supporting Bill 148. I think it's an important bill. Some would say it could have serious consequences if the bill was passed. I've listened to those individuals. Those points, I'm sure, were made in the standing committee on general government, on Bill 148. We want to ensure that we have that smooth and seamless transition to the new city of Toronto. It's important that we get on with things, go to that single city of Toronto.

Most important of all, it's important that we make this new city of Toronto work for all the people of Toronto, because I think what they'll see in the end is lower taxes, better service and the end of buck passing between the two levels of municipal government here in Toronto. When I have attended public meetings, as MPP and prior to being elected on June 8, 1995, in the riding of Scarborough Centre, Metro councillors and city councillors would pass the buck back and forth. The voters and the taxpayers of Toronto deserve to know that there's a municipal councillor who is in charge, who is their representative for all municipal issues within the city of Toronto.

I will conclude my remarks and pass the floor to the member for York East.

The Acting Speaker (Mr Bert Johnson): Further debate?

Mr John L. Parker (York East): Mr Speaker, may I welcome you back to the chair? It's good to see you back in the chair this afternoon.

I am very pleased to have this opportunity to add my remarks to this afternoon's discussion on the subject of Bill 148. Bill 148, as my colleague from Scarborough Centre has pointed out, might reasonably be entitled, "The City of Toronto Act, part 2." As we all know, Bill 103 achieved the amalgamation of the city of Toronto out of its component municipalities: York, East York, North York, Scarborough, Etobicoke, the city of Toronto. Those six municipalities, which have functioned quite well under the umbrella of Metropolitan Toronto since 1953, have

finally, through the act of Bill 103, been brought together to form what in effect we have had all along, what has been evolving since 1953, what has developed quite naturally into a single, unified city.

What Bill 103 did was to take the entity of Metropolitan Toronto, which was divided by artificial barriers among those six constituent municipalities — bearing in mind that what we had in the beginning, in 1953, was 13 constituent municipalities, later reduced to six constituent municipalities as amalgamations went on, as the ability of those communities to get together and to coordinate their services and to coordinate their civic administrations progressed, as the original 13 municipal structures was reduced in due course to six municipal structures. Then with Bill 103, those six municipal structures were reduced to a single municipality.

Really, what Bill 103 did was to take an existing entity and remove the internal partitions so that finally we could have full coordination right across the municipal area. That's what Bill 103 achieved, and that bill was passed earlier this year, subject to unprecedented scrutiny, unprecedented debate and, I might say, unprecedented controversy in achieving that, but Bill 103 has done that.

What Bill 148 does is address some of the detail that falls out as a natural consequence of that amalgamation. Bill 148 provides, as it were, the plumbing and wiring to complete the transition from seven municipalities — Metro plus the six component municipalities — into a single municipality. Bill 148 maintains certain local boards and commissions, boards and commissions that existed under the Metropolitan government, under Metro, and carries them on under the new unified city. It maintains certain services that existed under Metropolitan government, services such as police, such as ambulance. My friend from Scarborough Centre and I had the honour and pleasure of spending an evening with the Metro ambulance service during one of the most difficult evenings, on into the night and early the next morning, last winter, under blizzard conditions. We saw just how effectively the unified ambulance service in Metropolitan Toronto operates and has operated for some years, under unified conditions.

Mr Ruprecht: That is not all they told you.

The Acting Speaker: Order. The Speaker has warned everybody here for the last time.

Mr Parker: Thank you, Mr Speaker. I appreciate your efforts to stand up for the principles of free speech in this House. I truly appreciate your assistance.

The ambulance service that my friend from Scarborough Centre and I observed at first hand on that blizzard night last winter was a service that had already been amalgamated, was already functioning Metro-wide. It functioned under an emergency call system, the 911 system, which functions Metro-wide. It is, I would suggest, the finest ambulance service that certainly this area has ever had and the finest ambulance service across this country, a service that was amalgamated some time ago and a service that is preserved under Bill 148.

The effect of amalgamation and the achievement of amalgamation is consistent with the principles of this government and the principles on which the members of this party ran in the 1995 election. In our platform, laid out in the document entitled the Common Sense Revolution, you can see on page 17 that the members of this party ran on a platform indicating, "We must rationalize the regional and municipal levels to avoid overlap and duplication that now exist." That was what we were aiming at in bringing forward Bill 103 and that is the job we are completing with Bill 148.

As my colleague from Scarborough Centre pointed out, this is not only consistent with the platform that the members of this riding ran on in 1995; it is also consistent with the wisdom of the former leader of the Liberal Party of Ontario. In 1962, back when the Liberal Party apparently had some wisdom in its leadership, John Wintermeyer said: "There is no other logical solution for Metropolitan Toronto other than total amalgamation.... The metropolitan system of government is not the final solution. It is a step in between." That was the leader of the Liberal Party in 1962 who said those words.

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Unfortunately, the Liberal Party has not been able to maintain consistency with its principles, with its roots. In those days, the Liberal Party was led by a man of vision, a man who understood the issues of this city and understood where the best course for the future lay. Unfortunately, the Liberal Party doesn't have the benefit of the guiding light of John Wintermeyer now, but they might do well to refer to him and to remember his words of wisdom as they formulate their own policy these days. I'm suggesting this on the assumption that they are interested in formulating policy. I see no indication whatsoever that they are interested in developing policy or putting forward any sort of policy alternatives whatsoever. But if perchance the day ever comes that they decide to venture into the realm of coming up with any good, solid, constructive ideas, they might just want to consult their former leader John Wintermeyer's wisdom in doing so.

Bill 148 was introduced before this Legislature in June 1997. That's about four and a half months ago. As I say, it followed the passage of Bill 103. What does Bill 148 do? It preserves certain boards, agencies, services formerly operated Metro-wide. It amalgamates some other services Metro-wide, such as boards of health, library boards, historical boards, parking authorities. During the debate on Bill 103, you may recall in this chamber being told time after time in various ways, in various words, in various fashions, with varying degrees of rhetoric and histrionics, that Bill 103 would turn the world upside down, that it represented this monumental change that would bring the sky down on top of all of us, so terrible would its consequences be.

If the amalgamation of public health efforts across this municipal area is going to have that effect, if the amalgamation of library services across Metro is going to have that effect, if the amalgamation of historical boards across this metropolitan area is going to have that effect, if

the amalgamation of parking authorities across this metropolitan area is going to have that effect, then maybe there's some truth to what was being suggested at that time. But I would suggest that this city will be better for the amalgamation of those services, to have coordination across the city Metro-wide, and as John Wintermeyer said in 1962, the leader of the Liberal Party at that time, it's about time that we achieve those benefits. Bill 148 does that.

What else does Bill 148 do? It preserves some boards Metro-wide, it amalgamates some boards Metro-wide that were not formerly operated Metro-wide, and it preserves some other boards locally. It permits amalgamation if the new city council itself decides to amalgamate those boards and those services. Bill 148 also allows for differences between different localities. It does not immediately come through in a broad brush and homogenize the entire metropolitan area. It recognizes that different communities over time have developed different expectations, different levels of service, different standards of service, different priorities, and Bill 148 respects that and allows those differences to be maintained into the future.

Bill 148 contemplates that reserve funds built up in certain municipalities may be applied locally for the benefit of those municipalities that built up those reserve funds. It also permits different localities to maintain different service levels, so that if a municipality wants to have an enhanced level of service in one particular area or another, and if the voters of that area want to pay for that, then the new unified city has the authority and the power and the entitlement to allow those local wishes to be respected. So those who wish to maintain higher levels of services and to pay the extra cost of maintaining those services have the flexibility to do so.

But as my friend from Scarborough Centre has already pointed out, under metropolitan government, at the time of the draconian Bill 103 that was going to turn the world on its head and bring the sky down on top of all of us, 72% of the municipal spending in Metropolitan Toronto was already being carried out at the Metro level. Far and away the bulk of the municipal spending for the municipal services that were delivered were carried out already on a unified basis, so under Bill 148 that is respected.

What does Bill 148 do, for example, to the operation of the Toronto Transit Commission? Continue as usual. What does Bill 148 do to the operation of Exhibition Place, Metro Zoo, the Hummingbird Centre, the Guild Inn? Continue as usual. What does Bill 148 do with the operation of ambulance services across Metro? Continue as usual. What does Bill 148 do with the operation of homes for the aged? Continue as usual. What does Bill 148 do with the regulation of street vending? Continue as usual.

Police protection: Continue as usual. Life-saving services for Toronto harbour: Continue as usual. Conservation authority lands exempted from property taxes: Continue as usual. Resolution of disputes regarding bridges and highways: Continue as usual. Operation of a licensing commission: Continue as usual. Operation of the

Toronto Islands ferry: Continue as usual. Plan and act in emergencies: Continue as usual. Enter into water supply and sewage treatment agreements with other municipalities: Continue as usual. Receiving and disposing of liquid and solid waste: Continue as usual — a service that was already administered on a Metro basis, operated by the metropolitan government for all of the municipalities. Establishing and operating controlled access roads: Continue as usual. How about pensions and benefits for municipal employees at the Metro level and the local level? Continue as usual.

What changes under Bill 148? I'll give you some examples of what changes under Bill 148. Official plans: Official plans are the plans that govern development in each community, and that's very important to each resident, as a resident of a community, to know what the plan is for the development of that community. That's where the rubber hits the road for most residents in the municipality, the sense of where the community is now and where it will go in the future as development occurs. The official plan is the roadmap that governs future development in the municipality and future growth and planning in the community. It continues as usual, except that new planning can take place at the option of the new city council elected by the voters of the new city as they see fit, according to their priorities. There is flexibility there to allow for changes in the future.

Does Bill 148 change the official plan for any community in this city? No. Does Bill 103 change the official plan for any community in this city? No. Do Bill 103 and Bill 148 leave decisions concerning official plans in the hands of locally elected politicians and officials responsive to their voters, their constituents? Yes. That's what Bill 103 does and that's what Bill 148 does with official plans.

How about library boards? The library boards, under Bill 148, as I have mentioned, will be merged into one library board; public health will be merged into one board; and the parking authority will be merged into one board.

Mr Newman: Oh, no.

Mr Parker: As my friend from Scarborough Centre says, "Save us from the onslaught of a unified parking authority across Metropolitan Toronto." I'm going to suggest that the good people of Toronto are going to survive the shock of having their parking authority amalgamated on a metropolitan basis.

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How about the accumulation of assets, liabilities and reserve funds in various municipalities? Bill 148 will allow council to examine individual municipal financial circumstances, and if it so chooses, in the wisdom of the elected officials chosen by the voters of the city of Toronto, it may take steps to address imbalances. Reserve funds, for example, could be used to benefit the taxpayers in the area where those reserve funds were raised.

How about different levels of service across Metro? As I've suggested, Bill 148 permits the new council to continue different service levels and to recover related costs to those different service levels in different com-

munities. As I said, if people want to pay for them, they can have them. Bill 148 provides for that.

Let's just talk about the effect of amalgamation as we've seen it so far. We heard much of local democracy during the debate on Bill 103 and how the amalgamation of Metro's municipalities would be the death of local democracy. Before Bill 103, local democracy, as demonstrated through the exercise of the voting franchise in municipal election after municipal election, was notorious for the low turnout of voters in those elections; 30%, less than 40%, was a routine turnout for municipal elections prior to amalgamation.

We've just finished our first election after the passage of Bill 103. Let me also suggest that what I constantly heard from municipal voters prior to Bill 103 was that people didn't know the candidates, they didn't know the issues, they didn't know where the candidates stood on the issues, they didn't know what they were voting for, they didn't really know what it was all about, they didn't really know who was running locally, who was running Metro-wide, what issues were dealt with locally or what issues were dealt with Metro-wide. They were frustrated. That, I'm going to suggest, is a large part of the reason why voter turnout at municipal elections was so abysmally low election after election after election.

My friend the member for Scarborough East has asked what happened this time around, in the election campaign just completed, operated under Bill 103, electing representatives to the new, unified city council. Record-high turnouts. They ran out of ballots. The returning officers couldn't keep up with the demand for ballots to participate in the election this time around. That was the result of Bill 103. Never before in Metro Toronto have we had as big a turnout, as much participation, as much enthusiasm for a municipal election as we had earlier this month when we had our first election under Bill 103.

I'm going to suggest something else. I'm going to suggest that never before have the issues before the voters been so clearly put and so clearly understood. This time, for the first time in the history of elections in this city, people knew what the choice was between candidate A and candidate B when they voted for mayor. They knew what the difference was between candidate A and candidate B when they voted for their councillor. They knew what their councillor was going to be responsible for when that councillor reported for work on January 1, because all the councillors who were elected in the election this fall are all going to be members of the same municipal council.

They will all be dealing with all of the issues that need to be dealt with in this municipal area. We are not going to have some issues resolved by one council involving one group of people and another set of issues resolved by another council, including another group of people, with one very select, elite group, the mayors of the six municipalities, being represented both locally and Metro-wide. Everyone who was elected this fall will participate in the unified council and will share responsibility for all of those issues that affect us municipally.

What about local issues? Strictly local issues may be resolved by subsets of that municipal council. Those members representing the areas coinciding with the original municipal areas can meet as a group, as a community council, to address those local matters. Strictly local matters can be dealt with locally by members elected locally. It all comes together at the top in the unified council under one mayor for all of us, with accountability directly to the voters in a process that is understandable by the voters, that is transparent to the voters, where nothing is hidden under the surface.

We no longer have the system I encountered last winter when I attended a public meeting of the ratepayers' association in Governors Bridge and Bennington Heights, which gathered to consider a proposal for development on the Bayview ghost lands, the vacant lands south of Governors Bridge, which were occupied for a time by the Bayview ghost. At that meeting the key issue that arose that evening was the issue of road access from the proposed development to the Bayview Extension. There was much debate that evening about where that road access should take place: Should it all be channelled through Nesbitt Drive, and siphon the traffic through Governors Bridge, or should there be direct access on to the Bayview Extension? The municipal officials who were there that evening, and there were many of them, all said: "Not our department. That's a Metro matter. We can't deal with that."

Those people who came out that snowy evening to deal with that issue and who focused their concerns on that one element of that issue could not have that issue addressed by the municipal officials who were there that evening, because it wasn't their issue to deal with. The Bayview Extension is a Metro road; it was a Metro decision.

Mr Tony Silipo (Dovercourt): On a point of order, Mr Speaker: I apologize for interrupting the member opposite, but I did notice that there are only four minutes left on the clock in the government's time to speak, the first round on this, and I was just curious when the government was going to try to address the most recent screwup we've discovered in the bill, which is the date of the first council meeting.

The Acting Speaker: Curiosity is not a point of order.

Mr Parker: I appreciate that my friend the member for Dovercourt isn't confident he'll be able to get his own bit in when his turn comes around and he wants to share some time with me. I'm happy to generously share some time with him and maybe he'll afford me the same opportunity later on in this afternoon's proceedings.

I want to leave time for my friend the member for Scarborough East to wrap up, because I know he is so good on these issues, but he insists I complete this debate, and I'll see what I can do about this. Maybe I will use the time remaining to me, which my friend the member for Scarborough East has so graciously given to me, which my friend the member for Dovercourt seems to want to consume himself, to address the particular matter of my community of East York.

I have already mentioned the frustration felt by the ratepayers of Governors Bridge and Bennington Heights when they tried to deal with that Bayview ghost matter and they found out the local council couldn't deal with it because it was a Metro matter. It was a matter of one finger pointing in the other direction, and nothing was resolved that evening.

There has been concern in my community of East York as to its demise through amalgamation, that East York will cease to exist. There is a strong degree of concern about that. I have heard that concern. I take that concern seriously. I've heard the concern over the lack of a third councillor for East York and that perhaps East York does not have the representation on the new council some of us may argue it deserves. I have spoken on that matter. My thoughts are on the record on that point. I have spoken in committee at length in the strongest possible terms on that matter.

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The brilliance of Bill 103, as supported by Bill 148, is that, although I did not get my way on that particular point when I wanted to, the power rests with the new city council to address that matter. It can address not only the matter of my concerns concerning East York and the representation of East York, but the concerns that the voters right across Metro Toronto will have concerning representation for their communities on the new council, something that before could only be dealt with by this House, something that could only be dealt with by the provincial government.

Under the initiatives taken by this government, this matter of local representation in the new unified city of Toronto, which is strictly a local matter of concern most importantly to the residents of Metropolitan Toronto, can now be dealt with by the representatives of Metropolitan Toronto in their own elected city council, a city council that was elected in an election just past, a few weeks ago, with the greatest turnout of any municipal election in the history of this metropolitan area. That body, those public officials elected by that large participating public, will have the option to address that particular matter of representation for East York and for all of us. I think that is one of the great contributions Bill 103, as supported by Bill 148, gives to the residents of Metropolitan Toronto.

Mr Speaker, thank you for this opportunity to bring those comments to bear in this discussion here this afternoon. I look forward to participating —

The Acting Speaker: The member's time has expired. Comments and questions.

Mr Ruprecht: I really appreciate the remarks that were made just now, but I wanted to point out one fallacy in this issue.

The Minister of Municipal Affairs got up, and also the comments were echoed by the member for Scarborough Centre, "When this process took place" — the major point — "we, the government, listened to the people and we made changes accordingly." On this side, we know what that meant: that there were no significant changes made and people were not listened to. Why can we say this with

some authority? Because there was an accompanying referendum done right across Metro Toronto and each of the constituent cities had a chance to say yes or no to amalgamation, yes or no to this great idea that we're going to save some money and we're going to be a better place.

What was the outcome? The outcome was an overwhelming rejection; an overwhelming no. Right across Metro Toronto we saw that 70% in one city, 75% in another city and I believe 79.8% in the city of Toronto, and right across Metro Toronto it was a definite no. How did the government listen to the people? In fact they did not. If they were to listen to the people, they would look at some facts. For instance, what is the formula of success for this city? Even National Geographic, a great magazine right across the globe — coming from the United States — said that Toronto was one of the most successful cities in the world. Why was it the most successful city in the world? I say "was" because we don't know what the future is going to bring. It's because we were communities of communities, either one community of communities or many. And so —

The Acting Speaker: The member's time has expired.

Mr Silipo: I'm sure the government members are feeling quite good about the fact that in the debate that will ensue this afternoon we will get, as a third party, no time to actually have our comments put on the record on this bill, but I think our views on this are well known. I found it really, really telling that in one hour of speeches given by three or four members opposite, not once did they dare to address one of the fundamental issues that's of concern to people in the new megacity of Toronto. That is, how is it that this new council is going to be able to maintain the level of services and the quality of services that each of the individual cities has developed to date without resorting to big property tax increases? That's obviously what most people said they wanted during the election. It's obviously what the majority of councillors who were elected in the recent election have said they want to achieve. The last piece of proof that we have seen, reported just yesterday, comes from the new CAO, Mike Garrett, who says very clearly that a property tax freeze with no cuts in services is not a sure thing for the unified city.

Why isn't it a sure thing? Because the government and the minister so far have not released the numbers, have not been able to assure the new city that there will be an even trade as the costs of various services get pushed up and down between the province and the municipalities. It's because they refuse to put that guarantee in the legislation that people need to continue to be concerned.

As strongly as I feel that the megacity is wrong, I wish the new council well as they try to grapple with this very difficult issue. But unless the government is going to be able to come through and is going to be willing to come through at the end of the day with a guarantee and with the money to maintain the funding for the services we have, the new council will have no choice but to either cut services or increase property taxes.

Mr Steve Gilchrist (Scarborough East): I am pleased to add my comments and my congratulations to the three members, including the minister, for their very astute comments: the importance of this bill, the fact that it is largely technical in nature and is an integral part of our strategy to bring the greatest efficiency possible to all the municipalities, and in this case the municipality of Toronto.

I think we've seen a harbinger of things to come in the addresses to follow by the Liberals and NDP. They're going to talk about a whole bunch of things that have nothing to do with this bill. That's what they've done throughout the whole process. They've brought in Who Does What, they've brought in health restructuring, they've brought in education reform as a means of establishing a smokescreen because they know full well that this bill is nothing but the technical movement of a number of integral and important sections of existing acts of the six cities plus Metro Toronto into a new framework, a framework that will provide for the efficiency, provide for the savings.

I'm sure they're quite frustrated on the other side when the transition team comes out with a draft budget that already identifies savings of \$300 million to the overtaxed property taxpayers in the city of Toronto by the third year, and that's without any extraordinary changes. That's without really tightening down and finding those new ways of doing business that I'm sure will be the hallmark of the new city government. That \$300 million is just the first sign of the positive spin that will result from the passage of Bill 148 and Bill 103, its companion piece of legislation.

The fact of the matter is, the province needs to hear more about these successes. They need to hear more than the doom and gloom scenario from the other side. It is very tiresome to keep hearing that the glass is half empty. The reality is, all across Ontario, 69 groups of municipalities have decided to restructure. They've recognized the importance. With this bill, we ensure Toronto has the tools to make sure it's the most efficient and effective municipal government in all of North America.

Mr Duncan: I listened with great interest to the member for Scarborough Centre and the member for York East quoting authorities from 1962 to justify what they're doing in 1997. It was interesting to hear that; it was absolutely funny to hear it.

The member for Scarborough East is quite correct: This is a companion bill that does a lot of technical things. I just wondered, in technical matters, in 1962 we didn't have fax machines; we didn't have synthetic fibres. I don't think we had the Don Valley Parkway. We didn't have a city nearly as big as this. Yet all these guys can do is look to the past, with no vision for the future.

"Cost savings. Cost savings." There's no guarantee there will be cost savings in this. Maybe we should ask John Robarts or look at what he had to say, or George Drew or Leslie Frost. Maybe we should all be driving Edsels. Maybe we ought not to have telephones. My goodness, John Diefenbaker was the Prime Minister of

Canada. Maybe we ought to debate the Avro Arrow question again and what that did to Toronto. What tomfoolery. Address the issues. Don't be afraid. Don't be afraid to talk about today. Get your heads out of the past and look to the future. You can't seem to see that.

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You ignore referenda, referenda that you propagate as being a tool. You ignore them and you look to 1962 for sources as your guiding light for this great city. We say look forward, don't look back. My goodness. The member from York probably would like to drive a Hudson. This government's an Edsel. It'll be gone in a couple of years. What a scandal, that you would compare Toronto today to back then without any meaningful discussion of the bill.

The Acting Speaker: The minister to respond.

Hon Mr Leach: I would like to point out to the two opposition parties that this is a particularly proud day for me, to see that this bill goes through that will enable the new city of Toronto to continue, because Toronto and the other municipalities within Metro are great cities. This will give it an opportunity to become an even greater city.

There has been much conversation about whether we're going to be able to save money with this. I can tell the opposition members that the four mayors of the four major municipalities in Metro signed a report saying they could save \$250 million without the amalgamation, so we know there's \$250 million there that can be saved, and with amalgamation it will be even more.

The transition team has come in. They have reviewed the budgets of all the existing municipalities. They've come up with a draft budget for the new city for 1998 to present to the new council. They have said there will be absolutely no problem guaranteeing that there will be no tax increase. That's what's going to happen.

There is one other issue I wanted to make mention of and that was the comments that were made by the member for Dovercourt about the first council meeting. The first council meeting is set in legislation for January 2. Mayor Lastman approached the province and asked if that, for convenience, could that be changed to January 5. We said: "Absolutely, no problem as far as we're concerned. It would require all-party consent to do that." I can tell the mayor that the NDP refused to cooperate.

Mr Silipo: That's not true and you know it.

Hon Mr Leach: We asked to have it moved to January 5 for the convenience of the new city. We didn't get the cooperation of the opposition parties.

Mr Silipo: On a point of order, Mr Speaker: I would ask, through you, the Minister of Municipal Affairs to please correct the record. It is incorrect when he states the NDP was unwilling to cooperate to have the change made. We were willing and we still are willing to have the change made —

Interjections.

The Acting Speaker: If I want some help, I'll ask for it. Other than that, would you please assume decorum. I would like to address the member for Dovercourt on his point of order. It is not a point of order. Further debate?

Mr Duncan: I am pleased to have the opportunity to join the debate on Bill 148, the so-called megacity transitional legislation, which is a companion piece obviously to Bill 103 and does, as the government has indicated, deal with a lot of regulations with regard to the new megacity here in Toronto and has far-reaching consequences for the people of this great metropolis, a metropolis that is central not only to the GTA but to the entire economy of the province of Ontario, and therefore all of us have a stake in the success of this great city.

I listened with interest as government member after government member extolled the notion that this is going to save money. I believe the member for Scarborough East said \$300 million is projected in the first three years — projected — and don't think about the downloading that's going on. Ignore the comments of every major municipality in this province that taxes are going up. Ignore the impact of what pooling will do to taxpayers. Ignore what we saw, what we witnessed here in Toronto at the beginning of this debate on 103.

Megacity and downloading are a one-two punch aimed at the heart of this great metropolis, a one-two punch, a Tory punch, a punch with brass knuckles. Then you've got to consider reassessment. No question, this government will be remembered, and we will see it in the next election, as the government of increasing property taxes; a government that's afraid to deal with meaningful municipal restructuring; a government that believes in big bureaucracy and big government. That's what they're creating here in the municipal sector and indeed in education: a government that wants to centralize; a government that wants to have absolute power — powers, we found out today in debating Bill 160, that would give the government the right by regulation to set property taxes, taxation without representation, no accountability, no reality.

I want to remind members that a legislative committee held six weeks of hearings on the megacity bill, six weeks of input that the government didn't want but was forced into by the opposition. We heard from expert after expert, and their views were unanimous: A megacity is the wrong vision for Metro Toronto.

The evidence is overwhelming and beyond dispute: A megacity will cause property taxes to soar, it will cause services to be cut and it will make government even more remote from the people it's supposed to serve.

Interjections.

Mr Duncan: The government members say, "Wrong bill." It's not the wrong bill. You can't consider this bill outside of the context of 103 and outside of this government's objective to raise property taxes on property taxpayers right across Ontario. I will remind the members opposite that Wendell Cox, an international public policy consultant, said this just makes no sense.

Interruption.

The Acting Speaker: There will be no demonstration — none. Please remove the offender.

Mr Duncan: That's what it has come to, hasn't it? Firewalls on e-mail, unplugging fax machines, throwing

people out of the chamber, that's what it has all come to. Sad, absolutely sad.

The members opposite shake their heads. They ignore what people say. They claim they're making the tough decisions. They're making the wrong decisions. They're setting this province back to 1962.

Hon Mr Leach: Shame.

Mr Duncan: The minister shakes his head and says, "Shame." The only shame is on your shoulders, Minister. You have taken one of the great cities in the world, Toronto, and you've undermined its future. You will be remembered for this, there's no question, not just for the process; the ignoring of tens of thousands of Torontonians, ignoring the results of a referendum, ignoring the advice of people like Wendell Cox who said: "This just makes no sense at all. I think in the long run the megacity is going to be a failed experiment."

Later on he told us that the megacity comes along with a \$4.5-billion price tag for the next 10 years. That means a property tax hike of about \$5,000 per household over the next 10 years, and that's before the effects of downloading, which are going to cost another \$500 a year for every household in this great metropolis.

1650

Let's face it, as I said, megacity and downloading are the one-two punch with a brass knuckle, a brass knuckle that is going to affect property taxpayers in York East, is going to affect property taxpayers in Scarborough, is going to affect property taxpayers in Etobicoke, in Toronto, everywhere. This government's answer to making the tough calls is, "Dump them down to municipalities." This government's answer is to look to the past, to quote from 1962.

Jane Jacobs, the internationally renowned authority on cities who has chosen to make Toronto her home for good reason, said: "Amalgamation is the most stupid idea that's come along for ages.... If it ever happens, we'll just have to accept we're going to stagnate."

I indicated earlier, Mr Chair, that I listened with great interest to the member for York East quoting from the leader of the Ontario Liberal Party in 1962, a great servant of this province who served this Legislature and our party well. I made light of the fact that I really didn't think it was appropriate to be looking to sources from some 35 years ago with respect to policy and ideas for the future, although in the case of the government, they tend to look that far back and even further for their own inspiration.

I'd like to quote a leader of the Ontario Conservative Party. I went back to the 1870s and the 1880s and the 1890s and the early part of this century. We researched all the great leaders of the former Progressive Conservative Party and we looked for quotes, because the member for York East and the member for Scarborough Centre felt that those quotes from the past were really, really important to have, that if a leader of a party said something 37 years ago, by golly, the party today should have the same view.

This party may believe that what some of their leaders said a century ago or 40 years ago is worth believing, they may want to bury their heads in the sand and pretend, but I didn't have to go that far back. I only had to go back to Fergus, Ontario, in September 1994. Who was the leader of the Ontario Progressive Conservative Party at that time, soon to be the Ontario Reform Party? Who was the leader of that party? Was it some obscure name from the past? No. It was our current Premier, the member for North Bay.

Mr Alvin Curling (Scarborough North): Mike Harris?

Mr Duncan: Mike Harris — that's the one. Mike Harris spoke at length in Fergus about municipal restructuring. He spoke with eloquence and passion. I have to quote, because I was really astounded that of all the past leaders of the Progressive Conservative Party of Ontario, the current leader had great words of wisdom about municipal restructuring. You know what that Premier said? He said this speaking to municipal representatives about municipal restructuring, and I quote: "There is no cost for a municipality to maintain its name and identity. Why destroy our roots and pride? I disagree with restructuring because it believes that bigger is better. Services always cost more in larger communities."

That's our Premier. That's your boss. That's from the party and the government that said they wanted to balance the budget, and Mike Harris said that restructuring and bigger government lead to higher costs. We share that. But we understand that the government had a real predicament. It promised in 1995 that it could balance the budget, give a 30% tax cut, not touch hospitals, not touch classroom education and not touch community policing. On every count they have been wrong. So in a desperate attempt to meet a commitment, they broke with their own past. Their leader changed his mind. He flip-flopped. Before the election, "Restructuring is bad; big government is costly." Now: "Bigger government is better." Members of the government forget the lessons of declining marginal economies. At some point, not only do you not save, you add cost, and that's what's going to happen. That's why these technical amendments, though they are but a small part of the megacity initiative, are so important.

It also asks us some pretty fundamental questions. What does it mean for a town like Tecumseh outside of Windsor, a town like St Clair Beach, that want to maintain their identities, small towns adjacent to a large city, people who move there because they didn't want to be part of a large city? The people in Tecumseh and St Clair Beach in our area are fearful of what this government will do to them, because they know that this government's agenda is about taking away local authority, taking away local decision-making and raising local property taxes.

I'm pleased to have had the opportunity to join in this debate today. I say to the government, now that we've elected our first megacity council, our first megacity mayor, now is the time to acknowledge that what you're doing is raising property taxes, decreasing services, and

when the chickens all come home to roost, this great city won't shine the way it did. At some point, changes will have to happen to recognize neighbourhood concerns, to recognize that the draconian measures you have taken are bad for property taxpayers and will cost the people in places like Etobicoke and Scarborough tremendously.

Give up on your downloading. Work with municipal officials. Take a broader perspective. This won't save anybody any money. There's only one taxpayer, and they're all going to be paying a lot more, a lot more in terms of increased taxes and a lot more in terms of decreased services.

Mr Curling: It's a pleasure and a good opportunity to speak on Bill 148, which is a follow-up of 103, in order to amalgamate and do all the technical things to bring together this great city of Toronto.

While of course there are reasons that your government had put forward to amalgamate this city, one of the special ingredients that is missing in all of this is democracy — "consultation" is another word — all those things about involving people in the process. It seems to me that it's the habit of this government that it could run a province without the people, that if only the people would make themselves disappear, they could have a proper city so they could do what they want, could transfer the money wherever they wanted, to their friends. They could also make sure they could dictate without anybody answering back.

But what has happened is that the people did not stand back, because many of them are children of those who have fought for democracy. Many of them have themselves fought wars in order to have a vote and a say in the running of their country and of their city and of their province. This minister, who is now saying he's happy to be here because this is going to be his happiest day — what he has done and what his government, the Mike Harris government, has done is make sure that the people could not participate. Thousands and thousands of people were turned back without being heard. You are destroying their community, and they wanted to contribute and say what kind of community they want, but this government had already made up its mind.

One of the happiest parts of all this is to see the minister here today. I've had this complaint continuously, that I have seen legislation put forward in this House since this Conservative government has been here and I've never seen the ministers standing and defending whatever they believe in. They would send some parliamentary assistant who is half-baked and half-informed just to carry the word and toe the line, just dangle before them that one day they may be in cabinet, so just follow the line — like the member for Scarborough East, who actually is a frightening ideologue, who himself, I am frightened to know, sometimes even believes what he says. If I believed that he did not believe what he said, I could pardon him.

1700

The fact is, the member for Scarborough East — I think at one stage they pulled him away from the bill, because many things he was saying weren't making any sense. On

many of the things he was saying to his constituents, he was found wanting in many areas. The couldn't find him. The people themselves wanted to talk to him, because what he has done is make sure he turned everybody off around this province.

I have never seen people come out with such emotion. Mark you, in Bill 160, as we see now, we saw 124,000 teachers come out to protest the direction, the dictatorial bully attitude of this government. There's one thing I can say: There's consistency in this government. Ever since they came in, they have pushed around the most vulnerable; they have pushed around those people who are not in a position to speak back.

At one stage they thought they could push the doctors around, and the doctors wrestled them to the ceiling, so the doctors came out better. Others they tried to push around. Then they took on the teachers. What they did was take on communities, and they decided they would just amalgamate and not listen to anyone.

Interruption.

The Acting Speaker: Order. Would you please clear the west gallery.

Mr Gilles Pouliot (Lake Nipigon): Every day it's happening. Why? Why?

The Acting Speaker: I'm naming the member for Lake Nipigon.

Mr Pouliot was escorted from the chamber.

Mr Curling: Mr Speaker, this government is nothing less —

The Acting Speaker (Mr Gilles E. Morin): Order. Member from Scarborough, would you just wait until the gallery is cleared, please. Just take your seat in the meantime.

Member for Scarborough North.

Mr Curling: I don't know when the people of this province can speak. When they want to speak by consultation, they are shut out. When they are muzzled long enough, expression will come in some of the most unusual places. It will come in the galleries; it will come when they can't even go to their constituency offices. The attitude of people who are very peaceful, who are law-abiding people — this government has turned the people to react in this manner. When are they going to stop this kind of bully, sledgehammer democracy that they have created in this province?

I hope the election will come very quickly, when they shall be tossed out as they were tossed out in the Brian Mulroney days, when they can hold their caucus in a telephone booth —

Hon Cameron Jackson (Minister without Portfolio [Seniors Issues]): The David Peterson days.

The Acting Speaker: Member for Burlington South.

Mr Curling: — because what they have done is irritate the people to the point of lack of expression. They have ignored referendums. People have told them outright. Although they say they will listen to referendums, they have ignored them outright; they will not listen to the people. They have ignored 120,000 people who marched and said that the education bill is bad; they have ignored

the fact that people would like to express how their communities will be.

I will tell you, whether one is sent out of the gallery, whether one is not received by ministers, whether one is not seen at a constituency office, whether the Conservative members are in hiding, the time will come when they shall be cast out. The megacity bill — we only hope the people will have faith in those who take over later on and will make this community the best place to live, like we have had, and not be destroyed by this Conservative bully, sledgehammer-democracy government.

Mr Ruprecht: I appreciate the comments that my colleague just made. I have a number of points to make on Bill 148 and I am delighted that the Minister of Municipal Affairs is here to listen to this.

The first point I'd like to make is that he claims, along with some of his backbenchers, "We listened to the people." I think I've made clear on some occasions previously that if the government has listened to the people, then what about the referendum that has taken place? We know, and the minister knows full well because he was watching it through his window, there were over 10,000 people marching up Yonge Street. To do what? To ensure that their voice is being heard when they say "No."

The second point on this issue was that when the referendum was held, from one end of Metro to the other one voice was heard, and that was a No voice. Over 75% of the people of Metro voted No to Bill 148, No to the megacity. Now we've got the minister saying today, "We have listened to the people." If he has listened to the people, my friends, I don't know what that means. When I look at these statistics, I know he could not have listened to the people.

The second point I wish to make is that the minister says there will be cost savings. But you know, there's a difference here. The member for Scarborough Centre said — at least I thought he said today — that the cost savings will be over \$300 million. The minister gets up just a few minutes later and he says, "The cost savings will be \$250 million." Can you tell me, which is it going to be? Is it going to be \$300 million cost savings or is it going to be \$250 million cost savings? In fact, they don't know. If they're out by \$50 million, then surely someone is not doing the calculations right. Somebody hasn't added it up. Somebody cannot add it up, simply because they to this point don't even know what the cost savings will be.

On our side we believe that in the end, when all the figures are coming in, when everything is done, when all the moves are being made to close some centres, to move all the councils to other places and so on, when all that's done, there will not be cost savings; in fact, there will be a loss. So the numbers will be in the red; they will not be in the black.

The third point I want to make is that they say amalgamation is a great thing. Speaker after speaker gets up and says, "We've already got some municipal services done in an amalgamated fashion throughout Metro Toronto." Of course we have.

The city of Toronto, in fact all the municipalities, are proud of the Metro Toronto Police Service. The Metro police are already amalgamated. Of course they are, because it makes sense that this service is amalgamated. The TTC, so proudly proclaimed by the member for Scarborough Centre — “Of course, we’re going to have better TTC service.” But we’ve already got Metro amalgamated in terms of its transportation services, in terms of the TTC. We’ve already got that done. Where is the saving going to be there? Where is the saving going to be in the police department? Obviously there cannot be, because these services are already amalgamated.

1710

Then speaker after speaker gets up and says: “You know what? The Toronto ferries to the islands are going to be in better shape. The historical boards are going to be amalgamated and they’re going to be in better shape. The libraries, the parking authorities, the street vending, the conservation authority lands will be one board.” Of course. We’ve made that point before. Some services were amalgamated because it makes sense. Others were not. Why were they not amalgamated? Simply because local democracy was the overriding consideration of the people of Metro Toronto, each municipality. “We want local democracy,” is the cry. “We want representation. We want no taxation without representation. We want to have input in local democracy, in issues that affect us directly.” So it is clear that some services in some cities cannot be amalgamated, simply because it takes away the decision-making process from local municipalities. It takes away the decision-making process from local residents.

Sure, I want to have a say about what goes on in my municipality, in my community, and the reason we are great, the reason the city of Toronto is a success story, is known really all across North America, and I’ve mentioned it before. National Geographic magazine had a centre spread on Toronto, Toronto the Great. Why? Because we are a community of communities. That was our cry for democracy. That was our main move to maintain local identification and local democracy. That was important and, Minister, you are taking it away from the people.

You’re from Cabbagetown, I understand. What are you going to say to all the residents of Cabbagetown? Are you proud today, as you said earlier, that this Bill 148 is going to pass because of the residents of Cabbagetown? Is that what you’re proud of? You’re snatching away from them the decision-making process. You’re snatching away from them the input that they had previously when the city of Toronto was still in force. You’re snatching away the right for them to be heard. It’s clear, when you amalgamate, when you bring together the various aspects of all cities across Metro Toronto, you know that you’re taking away the local decision-making process. You’re taking it away from the residents, and that’s an important part. Amalgamation, therefore, is not the good thing that the Conservative government today is talking about when they say, “We’re going to be saving so much money.” No, that cannot be the end result of all this.

Are we really more accessible because of amalgamation? Are our politicians more accessible? Will the mayor — God bless him; I hope that he will be able to maintain his promises, because I will support him to maintain his promises and I’ve done that in the past — be more accessible than the six mayors were previously? The answer to that is simple. He cannot be as accessible as six mayors were previously, because they had the jurisdictions cut back a bit. They had local considerations to look at and not the city as a whole.

What takes place in Parkdale, in Rosedale —

The Acting Speaker: Order, please. Member for Parkdale, take your chair for a minute. There are too many conversations going on. Order. You’re talking too loud.

Member for Parkdale.

Mr Ruprecht: The government is saying that because of amalgamation there will be more accessibility to politicians. There cannot be more accessibility, simply because there will be too many demands. If that’s the case, if the Conservative government really believes that amalgamation will lead to greater accessibility, then of course, why not amalgamate more? Why not amalgamate the GTA and bring everybody into one big pot? Why not do that? Yes, you’re quoting Wintermeyer in the year 1962 when he says it may be a great thing. But why not combine — in fact, why not do away with all municipalities and do it like Britain does, a central government controlled right here, controlled right from the Premier’s office? Why not do that? Why stop at the boundaries of Metro Toronto if it makes such great sense? Because it doesn’t make any great sense and there will not be any cost savings.

Finally, let me make a final point, and that is, “There will not be any tax increases.” I hear this over and over again, and yes, I hope that promise will be kept, but how can you have tax savings when you want to maintain a level of services, when you have to spend some money on homeless people, when you have to spend some money on those who are downtrodden and on the poor? You have to maintain some of those services.

The mayor of North York said, “In North York we have great snow service equipment, and snow shovelling will take place.” We know in Toronto it’s not as good as in North York. That, of course, is why the residents of North York agreed with him. They have better service, and they voted for him in great numbers. But we also know what the new CAO of Metro Toronto says. Essentially he says a tax freeze can’t be guaranteed if the same service is to be maintained. Of course, that is also a fact.

Finally, let’s remember what made the city great. It is because we have strong communities, and under this plan of 148, I’m not sure at all that we can continue in the same way.

Mr Gerry Phillips (Scarborough-Agincourt): I’m pleased to join the debate on Bill 148, which is the second bill on the megacity. I’d like to start really by congratulating Mayor Mel Lastman. I think all of us appreciate that he has a huge job ahead of him. I think anyone who has

followed his career knows that he has done a terrific job in North York. He has built the city centre in North York, I think heavily as a result of his hard work and energy, and has proven to be a terrific mayor for North York, and all of us wish him the very best of luck in his new job. Clearly he's going to play a key role in the future of Metropolitan Toronto or the new city of Toronto, but I think it's fair to say that it's important for all of us in Ontario that the new city of Toronto work well and work efficiently.

I want to say that in our opinion the government, with a series of actions on the megacity, has made his job extremely difficult. I'll start not necessarily in any order of priority, but when I travel around the province — I've talked to many mayors and councillors and reeves and wardens and they're not all familiar with the structure here in Metro Toronto — I say: "Do you know what Mike Harris has done? He has set up a council of 57 people." They can't believe it, because they're mayors and they know that to deal with municipal issues, you've got to have a workable-sized council. I say, "It's a 57-person council." That's the first burden Mayor Lastman faces, and the government made that decision that they want 57 people on council. It is an unworkable number.

I guarantee you one of the reasons Metropolitan Toronto has worked so well to date is that we have strong neighbourhoods, and I give the old city of Toronto credit. They worked very hard at developing neighbourhoods. You drive along through the old city of Toronto, the Annex, Riverdale, the Beaches, just community after community where the community is indeed a community. One reason it is is that the community had access to their locally elected people, and more importantly, the locally elected people could actually influence how that neighbourhood functioned. It is as a result of that and, I might also add, because no matter where you live in Metropolitan Toronto, you can be guaranteed that your local school is a quality educational establishment, and if it requires extra resources, then those resources are provided.

So our first concern about what Mike Harris has done to Metropolitan Toronto is that 57 people trying to reflect the needs of neighbourhoods and communities simply is unworkable. I can't imagine any of the Conservative back bench came here believing that you would ever agree to establish a municipal council in the province of Ontario of 57 people. It's just an absurdity. In my opinion, it will lead to people not feeling they have a say in their neighbourhoods. I think I can guarantee this: When people don't feel that they can influence their neighbourhood and can work together with their neighbours, they turn inward. We start to see the bars on the windows, the double locks on the doors, and a belief that, "I'm going to have to simply look after my own family and not worry about my neighbourhood, because I can't influence my neighbourhood." That's concern number one that Mayor Lastman will face.

1720

Concern number two is that it is obscene to dump social assistance, social housing, on to property taxes. The evidence of that is David Crombie himself. I remember very clearly. We are coming up on the anniversary of when David Crombie sounded the alarm. He sent Al Leach a letter on I think December 23 last year, in desperation, begging the government not to proceed to dump social housing and social assistance on to property tax.

I remember it well, because David Crombie then was allowed to have a press conference the day before New Year's Eve. The Ministry of Municipal Affairs set it up. It was at 3:30 in the Macdonald Block, and it was hoped that no one would pay any attention to David Crombie that day. David Crombie said — this is on putting social housing on to property tax, and remember that Mike Harris set this Who Does What panel up, handpicked the 14 or 15 people to sit on it. It was to this Who Does What group, led by David Crombie, that Mike Harris said, "Tell me what I should be doing around the relationship between the province and municipalities." David Crombie, when he heard that the province planned to put social housing and social assistance on property tax, in an emergency meeting gathered those 14 people around and said, "We've got to do something." So they all agreed, unanimously agreed with this: "The panel opposes such a move," putting social housing on property taxes. "We are unanimous in that view." Of course Mike Harris ignored it, ignored his own panel.

Now what we've got for Mel Lastman and the new council is a nightmare, because the province has decided to dump, download, force on to property taxes 100% of social housing. It means that people who need housing — and I remind us that over half of these people are seniors, who don't have the resources. It's proven that they don't have the money, for whatever reason, because a spouse has passed away, they've not been able to save the money. They need social housing. Now, 100% of that is on property taxes, so you can imagine the challenges in the years ahead.

Right now the economy, for the last few months, indeed probably for the last year, has been good. The Canadian economy has been very good; the Ontario economy has been good. But we all know that those things change; hopefully, not soon, but we know there will be a downturn. Then we are guaranteeing conflict. To the people most in need in our province, to whom historically the province has said, "We're going to use all the resources of the province to help you through difficult times," we are saying, "You go and get your help from the property tax."

I think it is wrong in principle and it's morally wrong. Yet that is what Mayor Lastman faces. That is what Mike Harris has decided. He is dumping \$660 million of added costs on to property tax. Now, I know exactly what he is going to do. He's going to provide some one-time funds to smooth it over in 1998. But municipalities won't be fooled. They will look at, "What long-term costs are we taking on?" And the one-time funds are simply going to be

that, a one-time buyout to try to smooth it over, but they are going to leave to the property taxpayers these very sensitive issues.

I heard the minister himself on the radio when he was interviewed on this. The interviewer said, "Is it right, is it correct to put these programs on to property tax?" Al Leach himself said, "No, I think these things should be funded, paid for, not by property tax but by provincial taxes." The reporter obviously said: "Why are you doing it, then? Why are you putting social housing on to property tax?" The answer — and you can look it up; it was on a local radio station here in Metropolitan Toronto — was, "Well, sometimes it takes you a while to get where you want to go."

But it is a fundamental mistake, and we already are beginning to see the fallout of that, because now there is a fight brewing between what we call in this area the 905 and the 416; 416 is the area code for the city of Toronto and 905 is the area code for the phone system in the neighbouring areas. The neighbouring areas are being asked to pick up a part of the social housing costs. They're saying, "No, this should be a provincial responsibility." You can already begin to see the raw nerve-ends coming out on this.

I despair of the years ahead when people who need help on social housing have to go to the council, looking for property tax money for their housing. Understandably, in an economic downturn, one of the first things affected are the property taxes. Businesses can't afford to pay them and individuals have difficulty.

This will be one of the first problems Mayor Lastman faces. I read today where I guess he finally was apprised of the fact that the province was adding \$660 million on to property tax around the province of Ontario, and he's now beginning to realize that's going to put him in a very difficult spot. What services does he cut? How many more services does he have to cut?

Bill 148 deals with tax matters. The new mayor of the new city of Toronto and his council are also going to face several significant tax issues. One is the extraordinary fact that for the businesses in the new city of Toronto, over half of their business property taxes go to fund education, and we now find out that that property tax rate will be set not by the Legislature, not in public; there will be no debate on it. The business property tax in the new city of Toronto will be set down the hall, in the cabinet room, in secrecy. None of the Conservative back bench will even know it's happening. None of the opposition will even know it's happening.

It will be set by something called regulation. For the public, what does that mean? In a room, the Minister of Finance will sign a document raising from our business community around the province \$3.6 billion of property tax. For all the businesses in Ontario, over half of their taxes will be set by regulation.

It is amazing to me that the Conservative back bench would ever agree to this. The Conservatives I know have always told me that taxes have to be set by the duly elected people; that the public should have full input into

it. As a matter of fact, the Conservatives say there should be a referendum to raise taxes.

1730

But the bill that will raise the taxes for the new Metropolitan Toronto says that the Minister of Finance may set different tax rates on business property, different for different municipalities, different within a municipality. The Minister of Finance could set one tax rate for the downtown area and another for Scarborough; could set a different tax rate on different portions of a property's assessment, so for the top five floors it would be one assessment, and for the bottom floor another assessment; different tax rates for different geographic areas; different tax rates for different parts of a municipality.

Earlier this week we had a letter from the Metropolitan Toronto Board of Trade saying: "The Board of Trade of Metropolitan Toronto is concerned that the provincial government has not yet announced its policy on commercial/industrial education taxes. As you know, Bill 160...commits only to establishing province-wide uniformity for residential taxpayers."

That's another problem that Mike Harris is putting on the backs of Mel Lastman and that 57-person council. The business community believes their property taxes should be set out in the open and that they should have an opportunity to participate in the setting of them; that there should be full discussion on that; that they should be aware of what the proposal is for setting property taxes; and they should have an opportunity to be present when that vote takes place. But no. In an amazing display of arrogance, the government has decided that the public need not be involved in this and the elected Legislature need not be involved in it. This setting of property taxes on businesses will be done behind closed doors, with no public involvement. I honestly find that obscene.

I was interested that the minister responsible for the bill that does this himself said yesterday, and it was in today's paper, that setting taxes should be debatable, that it shouldn't be done behind closed doors, that the public should have a say in it. Yet the bill takes away any opportunity for participation and public involvement.

The public must be shaking their heads, saying: "What is happening to my Ontario? Are you telling me that we are giving the minister, the government, the Premier and the Minister of Finance the authority" — and this is what the bill does — "to set whatever tax rate they want on businesses?" It can vary by municipality, it can vary within a municipality, it can vary within properties and it can vary within property classes.

Mr Parker: On a point of order, Mr Speaker: I'm going to suggest that maybe it's time the member for Scarborough-Agincourt brought his remarks to bear on Bill 148, which is the subject of this afternoon's debate.

The Acting Speaker: I think quite a few members commit the same sin. It's the responsibility of the Speaker to be extremely patient. I know the member for Scarborough-Agincourt will come back to the debate on the bill.

Mr Phillips: As you know, Mr Speaker, the bill deals in many places with the revenue and the taxation issues. Bill 148 is called An Act to deal with matters relating to the establishment of the new City of Toronto, and it deals in page after page with taxes. Over half of the revenue to run the new megacity comes from property taxes.

I can understand that Mr Parker doesn't want the public to be aware that the government is giving itself what can only be described truly as dictatorial powers. I've said this many times: If Bob Rae, when he was Premier and Mike Harris sat there as a leader of an opposition, ever introduced a bill that said, "I am going to set the property taxes for businesses in the province of Ontario and I'm going to give myself the authority to vary it by municipality, by class of trade, by properties, within classes of properties, by that," I guarantee you that Mike Harris would have been apoplectic. That is what the new megacity is going to have to deal with. That's what Mel Lastman and the new megacity that we're setting up with Bill 148 are going to have to deal with.

I want to talk about a third challenge for the new council and the new megacity. There is no question that many of the key services in this urban area cross boundaries, that we need a level of cooperation between the new city of Toronto and the GTA. The bill begins to deal with that, but only begins to deal with it. There is no question that on issues of the environment, on issues of sewer and water, on issues of transportation, on issues of economic planning, on issues of transportation, we've got to look at these issues on a broader basis than just the new city of Toronto.

But what's happening there as we're trying to establish that? The Mike Harris government has poisoned the well for cooperation between the 905 and the 416 communities. As a matter of fact, in the last couple of days many of the municipalities in the neighbouring area have expressed their concerns about what's happening to them in the newspapers, paid advertising to outline their concerns.

Here we are. The new council comes in January 1, roughly six weeks from now. We are looking for the new council to operate effectively but also to work in the neighbouring areas. The first thing that Mayor Lastman has on his plate is a challenge between the city of Toronto and the neighbouring areas created by — dare I say? — Mike Harris.

By the way, I would say that this is a pattern with the government. They introduce a bill and then they have another patch-up bill to try and fix the previous bill. We had it on the property tax bill; we've got it here; I guess we'll have it on the social assistance bill. It's an example where the bills are rushed. We had it on the bully bill where we had I think 150 amendments.

What we've got here on this bill are the problems that Mike Harris is putting on the new city of Toronto council. I despair, because there is no question that this area has been the most successful urban area certainly in North America. It has not been by accident. It's been as a result of thoughtful, sensitive councils. It's been as a result of strong neighbourhoods. I think if you were to assess

what's the number one reason Metropolitan Toronto has flourished, it's strong neighbourhoods. Yes, we've got a strong economy, a terrific financial community, a terrific cultural community; we thrive on the auto sector; tourism is extremely good; we are blessed to be on the waterfront; we've got some great sports teams; we have all of those things but in the end it's because it's liveable and people will live in the city of Toronto.

Interjection.

Mr Phillips: I hear the occasional member for Brantford. Mr Johnson is here heckling. We very seldom see him.

I am offended that Mike Harris is doing as much damage as he is to the province of Ontario. He's doing damage to my city, and I guarantee you he's doing damage to my city. I'll just go through it again.

Putting social housing on property tax is offensive. It's offensive to anyone who's ever looked at it. It's putting our most vulnerable on the property tax, and it's wrong. Dave Crombie said it's wrong. The community said it's wrong. The board of trade said it's wrong. But Mike Harris is banging ahead with it anyway. You know why he's doing that? Because he wants to get at education. He's been looking for this fight with the teachers for years. That's what drove him. He wanted to get at education and get in a fight with the teachers.

Mr Johnson has been helpful to be heckling from his occasional seat. We very seldom see him, but he's here today. He is heckling because he doesn't want to hear the damage Mike Harris is doing.

The second damage that he's doing is he has set up an unworkable structure. A 57-person council is absurd. My friends on the Conservative back bench who have served on councils know that. It looks like what it is, and that is something that was not thought through.

The property tax situation is going to be desperate. Mike Harris promised that small business would be protected in property tax changes. He's done nothing of the sort. As a matter of fact, the property tax is going to penalize small business and reward big business. So while Mel Lastman is trying to develop the new city, small business is going to be penalized with the government's tax bill. The government has given itself the powers to set property taxes and our small business community will not even have an opportunity for any input into the setting of those property taxes. It's obscene.

David Crombie tried to stop it. He's someone who knows Metropolitan Toronto perhaps as well as anyone. He served as a mayor of the city of Toronto; was a federal cabinet minister who understood Metropolitan Toronto; understands the waterfront, the environment, all of those things, like nobody else. He knows how this city breathes and how it works and what's important to it. He did his desperate best to get the government to recognize that they are making a fundamental mistake in their approach to Metropolitan Toronto.

I'll conclude by my remarks that I started with, and that is that our Liberal caucus wishes the new council in the city of Toronto all the very best. Certainly we will work as

cooperatively with them as we possibly can. They have a huge responsibility. We have the most successful urban area in the world here and Mike Harris has decided that he is going to tear away at some of the key fabrics of that most successful environment in the world. It is going to require all the energies of those 57 people and the community of Metropolitan Toronto to try and resist the damage Mike Harris is going to do to Metropolitan Toronto.

As we look ahead, we wish them the very best of luck. As I said earlier, certainly our caucus will be attempting to work as cooperatively as we can to make sure that this urban area can be successful.

The Speaker (Hon Chris Stockwell): Pursuant to the order of the House dated September 8, I am now required to put the question. Mr Leach has moved third reading of Bill 148. Is it the pleasure of the House the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members; it will be a five-minute bell.

The division bells rang from 1745 to 1750.

The Speaker: All those in favour of the motion, please rise one at a time and be recognized by the Clerk.

Ayes

Arnott, Ted
Barrett, Toby
Beaubien, Marcel
Boushy, Dave
Brown, Jim
Carr, Gary
Carroll, Jack
Chudleigh, Ted
Clement, Tony
Danford, Harry

Guzzo, Garry J.
Hastings, John
Hodgson, Chris
Hudak, Tim
Jackson, Cameron
Johns, Helen
Johnson, Bert
Johnson, David
Johnson, Ron
Jordan, W. Leo

O'Toole, John
Ouellette, Jerry J.
Parker, John L.
Ross, Lillian
Runciman, Robert W.
Sampson, Rob
Saunderson, William
Shea, Derwyn
Sheehan, Frank
Spina, Joseph

DeFaria, Carl
Doyle, Ed
Fisher, Barbara
Flaherty, Jim
Ford, Douglas B.
Fox, Gary
Froese, Tom
Galt, Doug
Gilchrist, Steve
Grimmett, Bill

Klees, Frank
Leach, Al
Leadston, Gary L.
Martiniuk, Gerry
McLean, Allan K.
Munro, Julia
Murdoch, Bill
Mushinski, Marilyn
Newman, Dan

Sterling, Norman W.
Stewart, R. Gary
Tilson, David
Tsubouchi, David H.
Turnbull, David
Vankoughnet, Bill
Wettlaufer, Wayne
Wilson, Jim
Wood, Bob

The Speaker: All those opposed, please rise one at a time and be recognized by the Clerk.

Nays

Bartolucci, Rick
Bisson, Gilles
Boyd, Marion
Bradley, James J.
Brown, Michael A.
Caplan, David
Castrilli, Annamarie
Churley, Marilyn
Cleary, John C.
Conway, Sean G.
Cordiano, Joseph
Gerretsen, John

Grandmaître, Bernard
Gravelle, Michael
Hoy, Pat
Kormos, Peter
Kwinter, Monte
Lankin, Frances
Laughren, Floyd
Lessard, Wayne
Marchese, Rosario
Martel, Shelley
Martin, Tony

McLeod, Lyn
Miclash, Frank
Morin, Gilles E.
Phillips, Gerry
Pupatello, Sandra
Ramsay, David
Ruprecht, Tony
Sergio, Mario
Silipo, Tony
Wildman, Bud
Wood, Len

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 58; the nays are 34.

The Speaker: I declare the motion carried.

Resolved that the bill do now pass and be entitled as in the motion.

It being fairly close to 6 of the clock, this House stands adjourned till 11 o'clock tomorrow morning.

The House adjourned at 1754.

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Cochrane South / -Sud	Bisson, Gilles (ND)	Lanark-Renfrew	Jordan, W. Leo (PC)
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Thursday 20 November 1997

Jeudi 20 novembre 1997

Speaker
Honourable Chris Stockwell

Président
L'honorable Chris Stockwell

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 20 November 1997

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 20 novembre 1997

The House met at 1102.

Prayers.

PRIVATE MEMBERS' PUBLIC BUSINESS

LAND TRANSFER TAX REBATE

Mr Dan Newman (Scarborough Centre): I move that in the opinion of this House, the government of Ontario should extend its program for rebate of the land transfer tax for all first-time home buyers who purchase a newly constructed home to include first-time home buyers who purchase a resale home, and extend the rebate program through to March 31, 1999, and increase the \$200,000 purchase price ceiling from the land transfer tax rebate through the Ontario home ownership savings plan for buyers in the greater Toronto area, and the Minister of Finance should accept the provisions of this resolution and include them as part of the 1998 Ontario budget.

The Deputy Speaker (Ms Marilyn Churley): Mr Newman, you have 10 minutes.

Mr Newman: It's my pleasure to move ballot item 105 this morning with respect to the inclusion of resale homes in the land transfer tax rebate program. Many members across Ontario who are here today know that this program has seen significant new home starts in their areas. But coming from a very urban area, where land is very scarce for new home development, many of the people in my riding who want to participate in this program have to leave Scarborough Centre and move somewhere else. Many of them move to the 905 area, where many of these new homes are being developed.

My resolution today would ensure that when people make the decision to buy that first-time home, it could be a resale so that they could choose to live in Scarborough Centre, for example, where roughly 40% of my constituents are tenants. Many of those who are choosing to eventually enter the home market are literally discriminated against from purchasing a home within, say, Scarborough Centre because there's just not the land available for new homes.

It's something that I think is very important for all of us being part of a government that is bringing about jobs, hope, growth and opportunity for all Ontarians, to consider. This is exactly the type of measure that's needed to create jobs.

When we look at a transaction of a resale home, or any home for that matter, there is about \$17,000 worth of economic activity that goes through various fees. There are legal fees — we're not here to drum up business for the lawyers today by any means, that's not what this is about — there are land surveying fees; people may choose to buy a new fridge or a new stove or other appliances; there are draperies, broadloom, all sorts of potential spinoffs by having a resolution like this included in the 1998 budget. I think it's very important.

I received a letter on November 11 this year from the Ontario Real Estate Association. It's addressed to me. It says, "I'm writing to you today to offer you the support of the Ontario Real Estate Association and its 38,000 members province-wide for your private member's resolution extending the current land transfer tax rebate to purchasers of resale homes."

They go on in this letter to say that this makes housing affordable for many people. If we look at the \$1,725, which I believe is the maximum rebate allowed today, which will run out March 31, 1998, that's after-tax dollars so they would have had to make roughly twice that amount to actually realize that \$1,725 — I guess a little lower than that now, since we've cut taxes in this province. If they chose to use that as part of the down payment, the savings on that \$1,725 over a 25-year amortized mortgage, even at the rates today, if it averaged, say, 9% over a 25-year amortized mortgage, are significant to many people in Ontario. That would be just the kind of stimulus that's needed to ensure they make that jump into the housing market and buy a resale home.

As well, the York Region Real Estate Board sent me a letter. I know real estate boards and many organizations follow what happens here in the Legislature. They said to me:

"Mr Newman, I hope that the enclosed petition will help you in your endeavour to extend the land transfer tax to both new homes and resale homes for the first-time buyer. There has been very positive support from our membership and we support you 100%."

That's signed by Jane Doyle, the chairman of the political action committee of the York Region Real Estate Board. She's here today, I understand. Yes, she is. There she is. They have even come here today to see what we're doing.

Several of the members of their association filled in petitions. Jim Wessel from Countrywide for Huronia writes: "The current rebate is totally unfair and discriminatory toward first-time buyers who don't buy, or more

importantly can't afford, a new home. It should be available to all purchasers who qualify under the first-time buyers plan, regardless of a new or resale home purchase." I think this gentleman is right on when he says that.

There were several other people. I think there were several hundred petitions I had received. One of them is actually from a former member of this House. He was the member for Willowdale from 1987-90, Gino Matrondola. He says that it's of vital importance that the land transfer tax rebate program for first-time home buyers go on to include resale homes. So we have a former member of this House of the Liberal Party supporting tax cuts and seeing that they do create jobs for people.

I'm going to be very interested today to see how all members in this House vote, whether they vote in favour of a measure like this which promotes job creation in this province. I see the Liberals are shaking their heads. I know they still haven't read the article by Patrick Monahan, who worked in David Peterson's office, that showed the taxpayers of Ontario have more money by asking taxpayers to pay less tax. I think they ought to read that article.

It's a very important issue in our riding of Scarborough Centre and right across Ontario. It was brought in in the 1996 budget and extended to the 1997 budget. When you look at the land transfer tax, it constitutes a significant portion of the closing costs for first-time buyers. That's money the government takes for the transfer of property. With the program we have today, it literally discriminates against those people who want to buy a resale home.

1110

When you look at resale homes there are many people who may wish to make renovations to that home. With those renovations come many other jobs that people would want to see happen in their communities. Increasing the limit in terms of the purchase price would allow those people to choose to stay in Toronto. Madam Speaker, I know you would be very interested to know that this would help preserve the urban core within Metro and keep people and young families living here in Toronto. I think that's a very important item to consider.

As I mentioned, yes there are professional fees that are paid to lawyers and appraisers and real estate agents and surveyors, and these all contribute to our economy in a very significant way. As I mentioned, appliances, furnishings, other durable goods, renovations, all these create jobs in every one of our communities. I think we should be standing up today for our communities and for jobs in our communities by voting for this resolution.

It's something I hope the Minister of Finance, whether it passes or it doesn't pass, considers when he is preparing for the 1998 budget —

Mr James J. Bradley (St Catharines): I suspect he will.

Mr Newman: The member for St Catharines says he suspects he will and I hope you're right that he does consider what people are saying about this resolution, because it is something that is very important, that not only affects

rural Ontario, but affects urban Ontario as well, probably in a more significant way in areas where there just isn't the land available to build housing so that people have the opportunity to stay in Scarborough.

We have had new developments in my riding. There are about two of them. They've come since 1995 when the economy picked up in this province. Besides those two, there is really not a lot of extra land available where new housing can go. I'm really doing this for my constituents in Scarborough Centre who are first-time buyers so that they have that opportunity to stay in Scarborough Centre, to be part of a great community and to partake in all the great things that we have to offer.

I would ask all members if they would — this is private member's business; these are not whipped votes by any means —

Mr Frank Klees (York-Mackenzie): No such thing.

Mr Newman: "No such thing," the member for York-Mackenzie says, and you're right. On this side, there is no such thing as a whipped vote. You would want to know, Madam Speaker, that this is something on which I hope all members put aside their party allegiances — I know the leaders of the other parties are probably telling them, "Don't vote for this because it's a tax cut and we can't be seen as being in favour of tax cuts." But I say, put that all aside and vote for this bill. You'll see the benefits in your community. The benefits will come in the increased economic activity and jobs.

The Deputy Speaker: Further debate?

Mr Bradley: I want to tell the member, first of all, to make him and a lot of people happy, that I happen to agree with this resolution. This resolution makes far more sense than the silly income tax break. You know why this is good? I want to say to the member for Scarborough Centre, it is good because it will have a direct impact. It will prompt people to make a direct purchase. We will see a direct benefit from this particular tax measure that you cannot guarantee with the income tax cut, which benefits the wealthiest people in our society to the greatest extent because, in real dollars, they are going to get the most back from it. This helps people who are often not the wealthiest people in our society, who want to get into a new home situation — new for them at least.

This is exactly the kind of targeted tax measure which can have some benefit, unlike the ridiculous 30% income tax cut which is causing the provincial government to close hospitals in this province, to de-fund hospitals, to not provide enough money for home care in the Niagara region, where people are now calling my constituency office and asking, "Where is the service that we expected in home care?" In this regard I want to support the minister responsible for seniors' issues in getting the adequate amount of money from Mike Harris and from Ernie Eves for the program that he wants to implement. That is something we've been looking at.

I would say as well that if the government had followed the member for Scarborough Centre's recommendation as contained in this resolution instead of the income tax cut, then we wouldn't have the government cutting another two

thirds of a billion dollars from the education system in this province. Even though they said they weren't going to cut any money from education and they sent all of their members around to the meetings saying, "Oh, Bill 160 has nothing to do with cutting money out of education," a week later, when the Premier said that's what it is about, they had to go back with a new script. I didn't blame them for not wanting to show up at the rallies and the public meetings and so on, based on the fact that the tune had to change. I was waiting for an invitation from my friend from St Catharines-Brock. He had a forum in Virgil, Ontario, a wonderful place, and he didn't invite me to it. I couldn't believe it. I was available that evening and I could have gone. It probably got lost in the mail, because I know he would have wanted me to be at that forum.

That doesn't have much to do with the resolution, and that's unfortunate, because I'm an individual who likes to speak directly to matters before the House instead of heading into different things. I know that this measure, which is targeted to people and will allow more people to move into what is for them a new home — the building may not be new but for them a new home — may have that kind of economic stimulus which would allow more revenue to come in to the government so that they could solve the problem we have in the Niagara region of the heart patients who are sitting in intensive care units waiting to get to Hamilton for an angiogram, because in Hamilton there is a huge backlog.

Perhaps this will stimulate the economy because it's a direct tax measure which can have a positive effect, as opposed to the income tax cut where somebody can squirrel it away in an RRSP or head for a holiday in Aruba or something of that nature. This is targeted, and I'm glad to see that the member has found out that that's the appropriate kind of tax measure that we should have.

If the member can persuade the government now to abandon its millions of dollars of blatant partisan advertising on behalf of this government, particularly attacking certain segments of our society in Ontario, like the teachers who must deliver front-line services, if they would save money from that, they wouldn't have to worry about the short-term consequences of a little bit of revenue loss they would see as a result of this measure. So I support it and I think the member should inform the Treasurer of my views on this, and his.

Mr Tony Martin (Sault Ste Marie): I rise this morning to address the issue brought before the House by the member for Scarborough Centre with some disappointment and concern that we in this House these days do not seem to have the kind of time that is required to address some of the major initiatives of this government that are going to affect the everyday lives of ordinary citizens in a way that is going to be in some instances very dramatic; in other instances perhaps not so dramatic, yet it will have an effect on them, on their families and on their children.

It disappoints me to come here each Thursday morning in the context of the world that we in Ontario live in today, which is becoming more and more disconcerting and

confusing for many people. There is a level of anxiety in my own constituents, and as I travel the province and walk the streets of Toronto from time to time to see what's going on and talk to folks that I meet, a level of anxiety that is unprecedented, a level of fear by people who have been caught up in the vortex of a system that is less and less supportive of people and families and by people who are afraid that within a very short period of time they themselves will be caught in that.

1120

I see the kind of initiative that is being brought to us to debate by the members across the way that really has nothing in it to address the very serious concern that faces everybody. If you attack the very core of a society, the people whom that society is built around, the people whom that society is developed to serve, you come close to deteriorating it in a way that causes the whole thing to collapse. To have a piece of legislation such as the piece that we have before us today here, which is obviously not going to do anything to address that serious issue, the issue of, for example, homelessness in the province in a way that will see more quality homes being built and provided and presented to the people who need them most, concerns me.

So today, in my few moments of comment on this bill, you will note that I will be referencing the larger context within which this bill is expected to unfold. I will be referencing very clearly a piece of legislation that will be coming at us in the next week or two — before Christmas, I might add, a time of year when all of us should be feeling a sense of generosity, a sense of caring that is different than any other time in the year. That we would be entertaining the passing of Bill 142 at this time of year, that it will have such a dramatic and negative impact on those most vulnerable and most at risk in our society is what I will be —

Mr John O'Toole (Durham East): On a point of order, Madam Speaker: With all respect to the member, and I'm not being trivial, this is private members' hour. It's a very important hour for members who aren't ministers, in fact, or critics —

The Deputy Speaker: Could you get to your point of order.

Mr O'Toole: I would prefer if the member would comment specifically on the private member's resolution before us. There is a time and a place, and I respect that, for your messages.

The Deputy Speaker: Thank you.

Mr O'Toole: If you would, Madam Speaker, please ensure the speaker comments with respect to the resolution.

The Deputy Speaker: Thank you. It is a point of order. I would ask the member for Sault Ste Marie to come back to the private member's resolution at hand this morning.

Mr Martin: I certainly will, but before I do that I want to comment on the fact that the member did get up in the House here this morning and challenge me re my right, my ability to speak in this House as compassionately and as

forcefully and as caringly about those things that concern me most and into which pieces of legislation such as the one that's presented to us this morning must fit.

It actually helps me make the point that I was about to make before the member stood up. If you'll remember, earlier this week I was standing in this House to make a point of concern that was brought to me by my constituents, and a member of the governing party told me to sit down. What we're finding here in this House these days, particularly we in the third party, is that we are getting less and less time to talk on those things that concern us most.

For example, in the last two or three days we've had two pieces of legislation that have gone through this House that are of major concern to the question of housing in the province. We in the third party yesterday didn't even get to speak because the rules of this place have been changed, and with the time allocations that you have brought in in order to ram through your legislation so that we don't get a chance to have a look at it, to speak on behalf of our constituents to it, to put on the record in this place our concerns so that the people of Ontario might understand how this is going to ultimately impact them directly once it comes into effect, we don't get a chance to speak on that.

The Deputy Speaker: Could I ask the member for Sault Ste Marie to come back to debating the resolution at hand this morning.

Mr Martin: Well, Speaker, I hope you're not —

The Deputy Speaker: No, member for Sault Ste Marie. I give all members some leeway in debate, but you have not come to the resolution at hand at all this morning and I would ask you now to do that.

Mr Martin: You're making it very difficult for me, Speaker, and I hope that you're not —

The Deputy Speaker: Member for Sault Ste Marie, come on now. I've asked you twice and it is a legitimate point of order. Would you please speak to the resolution at hand. As I said, I always give members lots of leeway, but you must at some time during this discussion speak about the bill. I would ask you to do so now.

Mr Martin: This is private members' hour, Speaker, and I'm led to believe that it is a time when we can free-wheel a bit and talk and put on the record some of our comments, because this resolution, this piece of business that we're dealing with here this morning, will have a major and dramatic negative impact on the people that we over on this side of the House are most concerned about when it comes to the question of housing and homelessness.

The Deputy Speaker: I'm sorry. Member for Sault Ste Marie, I would ask you —

Interjections.

The Deputy Speaker: Order, please. Member for Sault Ste Marie, I would ask you to speak to the resolution, please.

Mr Martin: I tell you, Speaker, I am trying desperately to speak to this resolution, but the members opposite,

actually supported by yourself and your rulings, are not letting me speak to this resolution.

I've already lost at least three or four minutes in this absolutely useless exchange that we've had because the members of the government are afraid in this House, consistently over the last few days, to face the truth. We are not allowed any more to speak on pieces of legislation that come before us here. Over the last three days we've had three major bills go through this House that we have not had a chance to put on the record our thoughts and comments on.

This morning, in speaking to the resolution that's before us —

Mr Klees: On a point of order, Madam Speaker: The member fully knows that his leader was kicked out of this House and that's why he didn't have an opportunity to speak further. That's why —

The Deputy Speaker: That's not a point of order. Member for York-Mackenzie, take your seat. This is getting out of hand. Let's remember this is private members' hour. I would ask again the member for Sault Ste Marie to come to order and come back to the resolution at hand.

Mr Martin: To get back to the resolution just ever so briefly so that I might have a right to put on the record my concerns re this piece of legislation, or this piece of work or resolution, and how it indicates a complete lack of sensitivity by the government about the issues that are concerning most of the folks out there today, we have a province that is in total chaos and yet we get this kind of resolution that, yes, has some significance for some folks, I agree, in this province. In fact we have a letter that I keep raising here sent to the member bringing this piece of work forward by the Ontario Real Estate Association, an organization that has certainly some credibility and has done some very excellent work in my community.

I would like to see them at least once in their time here and with the time they have bring a letter forward by a poverty activist group out there, by somebody representing the ordinary middle-class Ontario resident out there re some of the initiatives they bring forward. All of the initiatives that they have brought forward in the last two and a half years while they've been government, and no less in the housing sector, have created a situation now where we have homelessness in our province. If that's not connected in some way to this piece of work this morning, I'll eat my hat. Homelessness in this province is at a 30-year high.

1130

The member for Sudbury has just given me a statistical piece of information. In Sault Ste Marie, the actual housing starts have gone down by 29% in October of this year. If that's good news or if that's something that this government wants to prop up or roll out there as some kind of public relations spin re the economy that's beginning to take fire and ignite in the province, then I'm sorry, I've missed the point. I don't understand.

To suggest for a minute that the piece of work that we have in front of us today in any way enhances the public good out there — which is what government should be about, putting in place regulations and rules and a frame-

work within which a society can evolve and develop so that all of us who consider that that particular piece of the country or province that we live in our home — I think they're not acting in the way that government was expected to act when it was first developed.

Speaker, the reason I am so concerned and upset and speaking in this way and challenging you in the chair and the members who keep heckling and raising points here about my points is that I attended at 10 o'clock this morning a press conference down in the media studio where a group of anti-poverty activists from the Niagara region spoke very eloquently and compassionately and clearly about the effect and the impact of Bill 142 on them and the people they speak for. They were saying that because they don't have the kind of resources behind them that the government obviously does and that groups like the teachers' federations in the province have in their fight against this government re the question of Bill 160, which is an important fight to have, they cannot get their voice heard.

So stretching the parameters here this morning, I am taking just a moment to express on their behalf the real concerns we have as a party re the impact of Bill 142 on those in our community who are most vulnerable and most at risk when it comes to any diminishing of the social safety fabric that we've all worked so hard, over a long number of years in Ontario, to put in place so that those who find themselves in that situation are protected, and those of us who are afraid that within a matter of weeks or months we may find ourselves in that situation, have something that will catch us and help us through that transition.

This morning, to have to come once again before this House as the third party, so concerned about the impact of the initiatives of this government on those out there for whom we speak probably most often in this place, the poor and the vulnerable and the marginalized and those who find themselves in need of assistance — it's just not talked about, and we're not going to get a chance. Bill 142 will be before us here within the next week or two, and if the trend continues as we've seen this week, we will not get a chance, because of the changes in the rules, because of the time allocation motions in front of us, to actually put our thoughts on the record.

This morning I say to Mr Newman, please go back to your constituency and talk to those people whom you also represent who are going to be affected negatively and drastically and dramatically by Bill 142.

The Deputy Speaker: Thank you. Further debate, the member for Durham East.

Mr O'Toole: On a special side note, Madam Speaker, I want to thank you for your consistency in your rulings with respect to this place — very fairminded.

It's a pleasure to have been asked by my colleague the member for Scarborough-Centre, Mr Newman, to speak on his resolution this morning. Very specifically, for the viewers today, it is: "That in the opinion of this House, the government of Ontario should extend its program for rebate of the land transfer tax for all first-time home buy-

ers who purchase a newly constructed home," which is something we already do in Ontario. But Mr Newman has gone one step further to serve the people of his riding, indeed all Ontarians, to include all first-time buyers of resale homes. He's explained in some elaborate detail the important ripple effect or multiplier effect in the local economy, indeed in the economy of Ontario.

Let me make it perfectly clear: This government is working with small business and those people on the front line trying to create jobs and hope and opportunity in this province.

Really, in honesty, when Mr Newman asked me to comment on his resolution, I was more than pleased, because I know a number of members who probably could have done a more than adequate job, but we work together.

What we're always looking for is not to interrupt the balance of the market. The market is a very sensitive balance between supply and demand, and of course a number of factors influence that, such as the land transfer tax cost. That's a cost, a discretionary charge, that could be considered a barrier to growth. But you have to look at the interest rates, you must look at the brokerage fees and you must look at the GST-PST implications of all transactions in our economy. All those represent an opportunity for all the stakeholders, whether it's the real estate brokers or other agencies involved, lawyers, to look at their fee schedules to see if they can make the cost of doing business more competitive. Keep the eye on the customer; most customers are our constituents.

You must be careful not to interfere and to over-stimulate the market either. My understanding today is that in my riding of Durham East there is certainly a very active market and new home sales are very active — a lot of migration to the Durham region, an excellent place to live, to work, to enjoy your life and to raise a family.

Mr Bradley from St Catharines mentioned that it is a direct stimulus when you intervene. When a sector is struggling, whether it's the auto sector — at times, the governments have looked at the interest rate in that sector or other stimuli, tax reductions. This is one other option that Mr Newman is bringing forward to the Minister of Finance and the Minister of Municipal Affairs.

I support the theme and thrust behind this. I want that arsenal of tools within the hands of the minister to exercise, to make sure that very important part of our community and our whole economy is there at his beck and call.

Respectfully, I want to start by recognizing that we as a caucus have been kept informed by many of the hard-working, front-line people in the real estate sector, not the least of whom is Jane Doyle, from the York board, who is here with us this morning in support of this resolution as the way to do business in this province. We also have Jerry England, from the Toronto Real Estate Board, and Robert Storrington, from the Ontario Real Estate Association.

But to me, I have to work with the people locally in my riding of Durham East. Lucien Lambier, who is the president of the Durham Region Real Estate Board, a very

positive part of our local economy, working with small business. Indeed, what Mr Newman said is true: All his transactions result in other people being employed.

That's an important part of the economy in every one of our ridings. I'm surprised that the member for Sault Ste Marie doesn't realize just how important this is, for the very reasons you suggest. The best plan for helping someone is a job. That's the best plan.

In my riding I deal with Walter Frank, a very widely recognized, leading person from Clarington with respect to real estate; Ken Hockin, a long-time, well-known, well-respected businessman creating many jobs and opportunities for people; George Van Dyk; Keith Puckrin; Cliff Crowell.

Other people in my area: Betty Morrison is a long-time citizen who has come out of another career into the real estate market, just loves it, works with people, new home buyers and first-time home buyers, to find their home. That's an important aspect of our community. Murray Patterson is another person who's continually calling me and saying, "John, we've got to make sure our economy is working," and he's not in any selfish way looking after himself. He sees the importance of small business, of those real estate people and other servants of our community to try and create jobs, hope and opportunity. Bill Daniels, Bob Hahn and other members of our community are important contributors to this economy. They create jobs, opportunity and hope. I think Mr Newman's resolution goes a long way to saying our economy is on track.

1140

Mr Rick Bartolucci (Sudbury): I'm pleased to rise and share a few ideas and points with regard to this resolution. Let me say from the outset that I'm going to be supporting this resolution because I think it's a very good direction to be moving in. I have a few concerns about a few of the givens in the resolution and I'm going to address those. But underlying all those concerns is the fact that I am going to be supporting the resolution.

The first given I have is with regard to the creation of jobs. I would be concerned if I were on the other side, the governing side, when I look at statistics which say that the number of people unemployed now is greater than when your government took over. There were 494,000 people unemployed; there are now 504,000 people unemployed. That's a given I would be concerned about. You promised 725,000 jobs. If you are to create 725,000 jobs as promised during your mandate, at this point in time you should have created 336,000 jobs. You are 130,000 jobs short of that number. I would be concerned about that fact as well.

On a more parochial level, I'm very concerned about the effect it's having on my community of Sudbury, where the unemployment rate has grown to 9.1%. That's higher than the Canadian average of 8.2%. I'm suggesting to you that you can do a lot more with regard to job creation. In fact, I don't think you should be publicizing how proud you are about ensuring that Sudbury and northern Ontario have such a high unemployment rate.

But having said that, let's move to another given I have concerns about, and that's with regard to the given that

says the current land transfer tax rebate program discriminates against first-time home buyers of resale homes. I agree with that, and that's why I'm supporting this resolution, because there shouldn't be discrimination.

Yet within the resolution — and I know it's not intended, because I asked the member why northern Ontario wasn't included in the lifting of the ceiling of the land transfer tax rebate through the Ontario home ownership savings plan, other than the greater Toronto area. He honestly suggested to me that northern Ontario wasn't part of the original resolution. I hope it's only an oversight; if not, I have to suggest that the resolution is discriminatory against northern Ontario, and God knows we live that only too often as we go through the mandate of the Harris government.

I'll give you some boring Sudbury statistics, but they're important statistics I'm using for my rationalization of the fact that I am supporting a resolution from the member of the government side. Paul Prosperi, the market analyst for CMHC, says, "Until sustained increases in housing demand begins to whittle away at the current supply of housing, new construction activity will remain slow." This is a very tangible way to ensure that we whittle away at the resale market we have out there. We haven't been very successful in residential construction in Sudbury; we're down 23%, Sault Ste Marie is down 29%, from January to October in Sudbury we were down 17%. I would suggest that since we have homes on the resale market, let's provide as much stimulation as possible to ensure that they are sold so that hopefully we can create construction jobs. This may be a positive way of doing it, so I'll support the resolution.

There is also a stimulus in here for the move-up buyer to become interested in increasing the square footage of the home he presently has. For example, now there is a stimulus to move from the 1,200-square-foot home to the 1,500-square-foot home to the 2,000-square-foot home etc, and that's why I think it's essential that you lift that \$200,000 ceiling for all people in Ontario, not only in the greater Toronto area.

Finally, I suggest that the 1.5% of the cost of the home, which is the land rebate tax, is very crucial to the young buyer who is just starting out. He or she can use that towards the down payment and not be saddled with debt.

I will be supporting the resolution even though I feel there are some weaknesses in it.

The Deputy Speaker: Further debate?

Mr John R. Baird (Nepean): Madam Deputy Speaker, I don't believe I've had the occasion to congratulate you on your new position, so I'd like to do so: the first woman Deputy Speaker, and indeed the constituents in Riverdale must be very proud of their new Deputy Speaker.

I'm also pleased to commend my colleague the member for Scarborough Centre for his ongoing commitment to the plight of working families in his community. The incredible tax burden they face because of a whole host of taxes at all levels causes him great concern, as I know it causes many of my colleagues equal concern. We simply have got

to stop the taxing war on the middle class in this province, and I certainly share that with him.

I was extremely interested, as I know all members were, to hear one of the Liberal members opposite state that tax cuts stimulate the economy. This is a remarkable achievement, that two and a half years into the time of this Parliament and after all the tax cuts for small business, for working families, for new home buyers, we're finally seeing that the message is starting to resonate over in the opposition benches, where one member actually suggested that tax cuts stimulate the economy. I hadn't heard that from the Liberal Party since about two weeks before the election, so it's good to see that they are beginning to follow through on those issues.

Mr Wayne Wettlaufer (Kitchener): They're starting to realize that the voters like it.

Mr Baird: The member for Kitchener says that the voters like tax cuts. They like tax cuts because it creates jobs. He's very right.

On the specific issue that my colleague has raised in his resolution, I wanted to provide some important background to the land transfer tax refund. In last year's budget the government extended the refund that was first introduced in the 1996 budget. The program was designed to assist first-time home buyers in the purchase of a newly constructed home and to help create jobs in the building, furnishing and equipping of newly constructed homes. The original time limit of the program was designed to encourage a more immediate response to the refund and a faster stimulus to the new housing sector.

The construction and real estate sectors are leading employment growth in the province. There are 250,000 net new jobs, and it has been led by the construction sector, particularly in residential homes. So far this year, we've seen an average of 55,000 home starts, and that's impressive. When you look at the charts contained in last year's budget, 36,000 new homes were started in 1995, this year it's up to 56,000, and by 1999 it's scheduled to rise to 65,000. That's some very solid economic growth. The new home construction market is a central part of the province's job creation strategy.

I have some thoughts to put on the record for each of us to reflect on in relation to the resolution my colleague the member for Scarborough Centre has put before us. There was a decision taken in the 1996 budget, and then confirmed in the 1997 budget, to focus the program on newly constructed homes. That was a very strategic decision. There's a substantial economic spinoff from both new and resale homes. As the member for Scarborough Centre mentioned, there's \$17,000 worth of economic spinoffs to the economy on a resale home. As considerable as that is, there's even more on newly constructed homes, with 2.8 years of work for every newly constructed home in the province. That's substantial, because those jobs are desperately needed right across the province. So the decision to go for strategic investment in new homes was an important one. In my riding, we're seeing a lot of new homes go up in Longfields, Davidson Heights and Chapman Mills.

I think there's substantial agreement that extending the program to resale homes might be akin to pushing a wheel that's already going down a hill. Look at the condition of the resale market. Last year, there was a 30% increase in resale homes. The tax cut in my riding, once completed, will add about \$170 a month to the average family in Nepean's pocket. That's almost akin to the cost of lower interest rates. So the \$170 off the cost of carrying a house from lower interest rates and the \$170 off the average home in my constituency on income tax for working families is a considerable amount more money in their pockets. The interest rates are at a 30-year low, back to 1965 levels.

Prices have fallen too. In 1989 the average price was \$196,000; in August 1996 it's \$160,000. Prices for resale homes are of course already demonstrably lower than those of newly constructed homes. Some 75% of first-time home buyers prefer to buy new homes. This change could potentially reduce that choice and more people could go into the resale housing market, and that could potentially cause harm to the job and economic growth we've seen in new home construction, which is something that would cause us to reflect.

Also, through the land transfer tax refund, we want to provide an incentive for prospective purchasers to act quickly and thus solicit an immediate response and immediate injection of economic activity into our economy. This skid may not need any grease.

Having said that, the solid housing rebound in recent years and the 30% increase in resale home sales last year are examples that the housing sector is doing well. The debate this morning is certainly something that will be extremely helpful to the Minister of Finance as he begins consultations on the preparation of the budget he'll present next year.

With that, there are some concerns members may want to reflect on as they undertake consideration of this resolution brought forward by my colleague the member for Scarborough Centre.

1150

Mr Mario Sergio (Yorkview): I am pleased to join the debate on the resolution of the member for Scarborough Centre. I'd like to say at the outset that I'm in support of the resolution as well as the content of the resolution itself, for a number of reasons, some of which have already been addressed by previous members. It's not only the economic benefit, as has been mentioned, but I think it makes good common sense, if I can put it that way, for the members across. This is a fatherhood or motherhood issue, and I think we should be doing everything possible to make it attractive, especially for new home buyers.

I have a couple of points, because I only have three minutes left. Number one is, yes, we should extend the benefits that first-time home buyers are enjoying now. We should extend that. We should include resale homes as well, especially when you mention the city of Toronto where you can only get a condominium or maybe a semi-

detached two-storey or stuff like that for less than \$200,000.

Especially in the city of Toronto where we are trying to concentrate a residential community in the core of the urban area, where we have spent billions of dollars building facilities, community centres and art centres, where all the amenities are, I think it's important we maintain that residential component in the core in the city of Toronto. It's important as well that we don't put a ceiling, that we don't put a limit, a cap, on the \$200,000. We should go beyond that.

There is a buyer for every house. Therefore, if they resell it in a city or town or downtown Toronto, people have to move on either to another resale or to a new home in the outer regions. It makes sense that we extend the benefits to first-time home buyers of resale homes. As I said before, and as others have said, the benefits are many. We can think of the construction spinoffs, of the additions. It's quite normal that purchasers, especially first-time buyers, move into a resale and there are a number of things they want to change. They want to adapt that home to their needs. They may add a kitchen or a bathroom. They may remove walls. They may want to put in a garage or a number of things. I don't have to tell you the economic spinoffs that would go along with that. It's also important because that existing community has all the amenities in place. It's got schools, so it would attract new families; it would attract younger families with kids as well. It does make sense.

With respect to the limit, it's something that should improve the situation all over the place. I would tell the member who has introduced the resolution that this is something that could be and should be done immediately. I don't think the minister needs to wait until 1998, or has to include it in the budget. It is something the minister can do now, by resolution, without coming to this chamber. That would be a big boost, as we can see from the response the member has received from the various organizations. That would be a big boost, not only for the home buyers but for the industry in general.

In congratulating the member, I would urge that he bring this to the attention of the minister and say: "Look, don't wait until you bring in the budget some time in 1998. You can do it now by resolution, telling the entire community out there that we can do it now and that we are offering it." I would urge the member to bring it to the attention of the minister, and do it now.

Mr Jerry J. Ouellette (Oshawa): I'm glad to have the opportunity to speak to this issue today. I'd also like to thank the member for Scarborough Centre, Mr Newman, for bringing this resolution forward. As the honourable members of this Legislature are aware, Oshawa and the region of Durham are growing at a rapid pace. In fact, it's one of the fastest growing regions in the province. Much of this growth comes from young families who are looking for their first home.

The current land transfer tax refund, which has been extended to March 31, 1998, has helped a large number of young families. Over 11,000 refunds have been issued to

first-time home buyers in Ontario. This initiative has been highly successful in assisting young families in the purchase of their first home.

The land transfer tax refund has not only benefited young families; it has also, along with other initiatives to reduce government red tape, stimulated housing starts in the region of Durham, and Oshawa, as well as the entire province. Housing starts in the area are the highest they've been in the last 10 years. This is certainly encouraging from a construction industry that accounts for nearly 10% of the local labour force. Since August 1996, Ontario has led the country in job creation in the construction industry with over 29,000 jobs. Over the first eight months of 1997, housing starts in Ontario were up by over 33%. In addition, there is an economic benefit to the real estate industry and other components of the service sector.

I meet with many of the local industry stakeholders, such as the Oshawa-Durham Home Builders' Association and real estate and property management groups, on a regular basis to discuss issues surrounding the housing industry. I am often told during these discussions that more needs to be done to assist young families starting out and trying to purchase their first home.

As my colleague from Scarborough Centre indicates in his resolution, first-time home buyers buy a significant number of resale homes. This resolution not only calls for the extension of the rebate program through to 1999, but it also calls for the rebate to be extended to first-time home buyers who purchase a resale home.

A rebate on resale homes would assist young families starting out and looking to purchase their first home. A saving of \$1,228, which is the average refund return to date, is, for a young family starting out, quite significant. For the many of my constituents who are seeking to purchase a first home in the city of Oshawa, a rebate on a resale home could be an important consideration in the decision about the type and location of the house they choose to purchase.

Within the heart of the city of Oshawa, opportunities for new housing starts are limited by an already developed urban centre, so a young family must look for their first home in the outlying parts of the city in order to take advantage of the land transfer tax refund. Extending the rebate to include resale homes would support young families by allowing them to take advantage of the rebate wherever they choose to purchase their first home.

The success of the land transfer tax refund in terms of its benefit to local economies in Oshawa and Durham is clear. This same initiative has seen the average young family have \$1,228 more in its pocket after the purchase of a first home than it otherwise would have had.

The benefits from extending the land transfer tax refund to the local economy and to the finances of a young family starting out for the first home are significant. I support the resolution brought forward by my colleague Mr Newman, from Scarborough Centre.

The Deputy Speaker: Mr Newman, you have two minutes to reply.

Mr Newman: I want to thank all the members who are here today to listen to the debate, especially those who participated in the debate on this resolution.

I'd like to thank the member for St Catharines. I will inform the Treasurer of this province that he is in favour of the resolution.

I thank the member for Sault Ste Marie for his comments, although they had nothing to do with this resolution. I listened very attentively for four words: "land transfer tax rebate." I didn't hear them, but I appreciate his comments, although they had nothing to do with it.

I always appreciate the comments of the member for Durham East, whom I've had the good fortune of sitting beside for two and a half years. I've enjoyed sitting beside him.

I appreciate the comments from the member for Sudbury, and his support. I thought he might have wanted to say that there are some 250,000 more people in this province who have jobs today than in June 1995. When he works on his numbers, he might want to see that there are more people coming to this province. They're coming to the province because it's a province of hope, growth and opportunity.

Over the 10 years from 1985 to 1995, we've seen taxes increase 65 times, and the debt increase by \$70 billion. But since we've been in office there have been 30 tax cuts, and the province is definitely getting in order. There's no intention of excluding northern Ontario, because I have many friends in northern Ontario and I'm sure they would be the first ones to tell me.

The member for Nepean, and also the member for Yorkview — I appreciated his comments. He said it was common sense, and this is a resolution, so therefore he's in favour of a commonsense resolution. I appreciate that. He had some very good views on the strong urban core and the jobs aspect of what this resolution would do.

The member for Oshawa — I always appreciate his comments. I've enjoyed sitting in this block of three seats since June 1995 with him. He talked about the effect it would have on young families, and making a decision on where they live.

I would encourage all members to vote for this resolution.

The Deputy Speaker: The time provided for private members' public business has expired.

Mr Newman has moved private member's resolution number 105. Is it the pleasure of the House that the motion carry? Carried.

All matters relating to private members' public business having been completed, I now leave the chair, and the House will resume at 1:30.

The House recessed from 1201 to 1332.

SUPPLEMENTARY ESTIMATES

Hon Chris Hodgson (Chair of the Management Board of Cabinet, Minister of Northern Development and Mines): Mr Speaker, I have a message from the Administrator of the government signed by his own hand.

The Speaker (Hon Chris Stockwell): The Administrator of the government transmits supplementary estimates of certain sums required for the services of the province for the year ending March 31, 1998, and recommends them to the Legislative Assembly.

MEMBERS' STATEMENTS

EDUCATION REFORM

RÉFORME DU SYSTÈME D'ÉDUCATION

Mr Michael Gravelle (Port Arthur): If there is one positive thing that could be said about this government's bullying tactics to make Bill 160 the law of the land, it is that it has provoked an unprecedented level of protest which has crossed all boundaries of our society.

In my community of Thunder Bay the battle to fight Bill 160 rages on, with teachers, parents, students, citizens of all ages and all political stripes working together to stop Mike Harris from destroying our public education system.

Bill 160 is not just flawed; it's anti-democratic, probably unconstitutional and certainly very dangerous in its clear goals of ripping funding from our classrooms and centralizing complete control in the Premier's office.

I want to thank the people of Thunder Bay for not giving up this incredibly important fight — like the 700 students at Hillcrest High who yesterday held an information rally outside their school on a cold November day; the 52 parent councils in Thunder Bay that publicly stated their strong opposition to Bill 160; the parents who launched the green ribbon campaign in our community; and to the organizers of the Flashlight March to be held tonight in Thunder Bay. They know we just can't back down.

Let me finish my remarks by quoting from Eileen and Gordon Scott, two Thunder Bay seniors who marched on the picket lines with the teachers and who continue to fight this bill:

"Many of us fought a great war for democracy and freedom — not for a dictatorship that threatens us now. This bill threatens the freedom that we fought for."

Shame on you, Mike Harris. You're not fooling anyone. Mr and Mrs Scott are upset and so are all of us here in the Liberal caucus, and all of us across the province.

Mr Gilles Bisson (Cochrane South): This morning a number of students from the école secondaire Renaissance were here in Toronto to bring a special message to the Premier and to the Minister of Education about how they feel about Bill 160.

The students at that school, along with students at other francophone high schools across Ontario, have gathered a different kind of petition-signing. They've picked up broken pens, pencils, rulers, school benches, school supplies that are in bad condition because of the money that is not being spent in our system of education, and have signed those particular items as a way of protesting to the

government the attack this government is having vis-à-vis Bill 160.

I want to thank Tina Landers, Natalie Hamelin and Natalie Michaud from l'école secondaire Renaissance from the city of Timmins, who have come down here in order to bring their opposition to this government directly as to what they are doing with Bill 160.

Quand on voit les étudiants de la province de l'Ontario qui se joignent à ce qui se passe dans cette province quand ça vient à l'opposition à la Loi 160, ça nous dit que le gouvernement a encore manqué le but ; encore il n'écoute pas. Il n'écoute pas les parents, il n'écoute pas les étudiants, il n'écoute pas les contribuables. Le moindre que le gouvernement puisse faire, quand ça vient à la question d'éducation, c'est écouter les élèves, ceux qui sont supposés de bénéficier de notre système d'éducation. Si le gouvernement ne veut pas le faire, on se demande, sont-ils engagés quand ça vient à l'éducation ?

CANADIAN WOMEN'S OLYMPIC HOCKEY TEAM

Mr Jim Brown (Scarborough West): It is with great pleasure that I rise in the House to wish the Canadian women's Olympic hockey team success at the 1998 winter Olympics in Nagano, Japan. The 1998 winter Olympics will be the first time that women's hockey has been included as an Olympic sport. These ground-breaking young women hockey players know the importance of this once-in-a-lifetime opportunity. They are the best in Canada. We think they are the best in the world.

It is crucial to mention the debt women's hockey owes to the late Rose Cherry, the wife of hockey legend Don Cherry. Rose was instrumental in helping women's hockey grow as a national sport. She believed in the equality of gender for all sports. Every person should have the chance to play Canada's national game. Rose was a quiet inspiration, mostly behind the scenes. Rose and Don Cherry have done great work for women's hockey. They have continued to promote female hockey and are great supporters.

Rose encouraged her husband to tell the public that women should be treated fairly in our national game. To honour Rose Cherry, all the Canadian female hockey players at the 1998 winter Olympics will wear a rose on their sweaters. I encourage all female hockey teams to do the same. To the members of the 1998 Canadian women's Olympic team, may the spirit of Rose Cherry be with you.

GLEN PARK PUBLIC SCHOOL

Mr David Caplan (Orillia): I rise today to bring to the attention of the members of this House yet another achievement of our educational system. I know that other members of this House, like former teacher Brenda Elliott, former teacher Julia Munro, former trustee Bert Johnson and former teacher John Hastings, will understand the significance of this honour.

I am pleased that Glen Park Public School of North York has been named a winner of the Canada Award of Excellence from the National Quality Institute at their conference held October 29. The national awards recognize private and public sector organizations for their outstanding achievements in quality service, customer satisfaction and continuous improvement.

Glen Park is the fourth North York public school to win an NQI award in the last three years. In fact, when two schools won last year, the now-deputy Minister of Education, Veronica Lacey, stated, "These accomplishments serve to remind us that despite the challenges, today's school system can still meet the highest standards of service, quality, continuous improvement and accountability." I want to echo these words and add my congratulations to the school for their increase in student achievement and their focus on student leadership and high levels of participation. I hope all members, especially those who were at the public consultations on Bill 160, will preserve these qualities and the kind of input and accountability that Bill 160 removes from our schools and from our system. I hope that all members will oppose Bill 160.

1340

MUNICIPAL ENUMERATION

Mr Rosario Marchese (Fort York): I would like to congratulate the Minister of Municipal Affairs and Housing, the Minister of Finance, and American Express for preparing what appears to have been the worst voters' list in the history of the city. Because door-to-door enumeration was not done in order to save money, over 100,000 people had to be registered at the polls on November 10 out of a total of approximately 350,000. Many people simply gave up and did not vote because of the long wait. People were deprived of their democratic rights because the list was so inaccurate.

Let me give you an example in my riding. There's a small block of flats on King Street which contains 12 units, Minister of Municipal Affairs. There were 22 names on the list for this building. Of these, five actually live there; three were dead; 11 had moved; one was the former, not the current, owner; and two names were duplicates. Multiply this across the city and you have a good idea of the accuracy of the list.

This situation, in my view, is inexcusable, especially in view of the fact that an updated voters' list existed from the recent federal election. Sydney Baxter, the Toronto city clerk, has laid the blame for this fiasco squarely on the province. He said on CBC Metro Morning: "I have come to the conclusion that they simply do not care." I go further and say this government has bungled it completely.

MAKE A WILL WEEK

Mr Bill Grimmett (Muskoka-Georgian Bay): I am making this statement on behalf of the member for Brant-Haldimand, who just took ill.

It is my privilege to rise today to inform all members of the House that this week is Make a Will Week in Ontario. Make a Will Week is a campaign to raise the public's awareness of the importance of making a will. This unique initiative in Ontario is based on the successful model in the United Kingdom.

The Heart and Stroke Foundation of Ontario and the Canadian Cancer Society, Ontario division, the campaign's charitable sponsors, and the Law Society of Upper Canada assisted in creating the program's conceptual framework.

The goals of Make a Will Week are to encourage the public to make a will, to educate the public on the benefits of a lawyer-prepared will, and to motivate lawyers to educate the public about the importance of wills.

Highlights of the public campaign include free initial consultations with a lawyer through the law society's lawyer referral service. The cost for being included has been waived by the law society. In addition, there is a dial-a-law tape program, estate planning seminars and an advertising campaign to raise public awareness.

I want to congratulate all those who have contributed to Make a Will Week and encourage all members of the public to make use of the programs and other educational tools that are available to help us protect our families and loved ones, now and in the future.

PROPERTY TAXATION

Mr John Gerretsen (Kingston and The Islands): "Hey Mike, show us the real numbers."

Earlier this week this large one-page ad ran in Ontario newspapers protesting against the provincial government's downloading of responsibilities and costs on to municipalities. They're the ones that start with the words, "The province of Ontario is taking actions which will drive up property taxes on homes and businesses."

In the government's power-mad rush to grab control Ontario's school system, their disentanglement plans will dump at least another \$670 million in extra costs on to municipalities, causing local property taxes to skyrocket not only in the short term but also in the long term.

Elected officials and citizens across the province, and backbench Tory MPPs too, want more than a pinkie promise from the Premier that this whole exercise will not raise taxes in their municipalities.

Municipal leaders and citizens want the actual, solid information. They want the real financial impact numbers from the province, numbers that include everything: the elimination of municipal support grants, the cost to municipalities of taking over responsibilities for roads and assessment reform, the value of each property.

Once you see these numbers, you see that the exercise is not revenue neutral. It is time that the government wakes up to the reality before it's too late, before this bill becomes law, that it's a fundamental mistake to put the cost of soft services such as social housing and welfare on to property taxes. It's a disaster waiting to happen to our municipalities.

GOVERNMENT AGENDA

Ms Shelley Martel (Sudbury East): On Saturday, September 13, a coalition of labour, social justice and faith activists sponsored a Black Saturday Rally in the heart of downtown Parry Sound. The purpose of the rally was to draw public attention to the cost-cutting agenda of the Mike Harris government and to focus on how devastating these cuts are to the very fabric of our communities.

Several hundred people gathered to express their concerns regarding cuts to hospitals, to classrooms, to child care, to social assistance recipients, to hands-on care for seniors in long-term care facilities, to public services like transportation, over and above the very negative impact these cuts are already having on our communities.

Speakers emphasized how the Mike Harris download would also result in cuts to local services and higher property taxes, or a combination of both. It was made very clear that another big cut to education transfers would not only devastate special education, early childhood education and adult education, but would put at serious risk our publicly funded education system itself.

There was broad and strong recognition of the value of public services and public sector jobs, and huge support to protect these, despite the Mike Harris attack on both.

I was pleased to participate at a Black Saturday Rally in March and I was impressed by the turnout in the home town of the finance minister. Congratulations to the organizing committee. As requested, on behalf of the West Parry Sound Women Teachers' Association, I'd like to present this T-shirt to Ernie Eves, Mike Harris and Dave Johnson.

VANIER CUP FOOTBALL GAME

Mr Garry J. Guzzo (Ottawa-Rideau): It's with a considerable degree of pride that I rise today to address the 33rd Vanier Cup game, which will be hosted here in Toronto at the SkyDome this Saturday. The Vanier Cup is emblematic of Canadian university football supremacy, and this year eastern Canada is represented by the University of Ottawa Gee-Gees.

The University of Ottawa is the largest bilingual university in North America. Its many graduates serving with distinction in every field of endeavour across this great nation is its proudest accomplishment. I recognize our own Minister of the Environment, the Leader of the Opposition and the leader of the third party in this House as members of that august group.

Being a bilingual university, the selection of a nickname was not an easy task. The name was adopted not in honour of its proudest unilingual graduate, I assure you, but it's taken from the school colours of garnet and grey, or, en français, grenat et gris.

This is the Gee-Gees' fourth appearance in the 33-year history of the Vanier Cup, which they last won in 1975. Coach Larry Ring, a member of that 1975 team, joins a select group of coaches: Matt Anthony, Ace Powell, Don

Gilbert and Jim Daly, one of a handful of Canadians who has coached in a Grey Cup final.

I call on this assembly to join with me in wishing the Gee-Gees bonne chance.

STANDING COMMITTEE ON GOVERNMENT AGENCIES

The Speaker (Hon Chris Stockwell): I beg leave to inform the House that yesterday the Clerk received the 46th report of the standing committee on government agencies. Pursuant to standing order 105(g)9, the report is deemed to be adopted by the House.

PRIVATE MEMBERS' PUBLIC BUSINESS

The Speaker (Hon Chris Stockwell): I would like to remind all members that today is the deadline for filing ballots for private members' public business. If you have misplaced your form, you're out of luck. You'd better find it.

Interjections.

The Speaker: Okay, if you've misplaced your form, the clerks would be happy to provide you with another one.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr David Tilson (Dufferin-Peel): I beg leave to present a report from the standing committee on general government and move its adoption.

Clerk at the Table (Ms Lisa Freedman): Your committee begs to report the following bill, as amended:

Bill 152, An Act to improve Services, increase Efficiency and benefit Taxpayers by eliminating Duplication and reallocating Responsibilities between Provincial and Municipal Governments in various areas and to implement other aspects of the Government's "Who Does What" Agenda.

The Speaker (Hon Chris Stockwell): Shall the report be received and adopted?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1348 to 1353.

The Speaker: All those in favour, please rise one at a time to be recognized by the Clerk.

Ayes

Amott, Ted
Baird, John R.
Barrett, Toby
Bassett, Isabel

Hardeman, Ernie
Hamick, Charles
Hodgson, Chris
Hudak, Tim

Sampson, Rob
Shea, Derwyn
Sheehan, Frank
Smith, Bruce

Brown, Jim
Carroll, Jack
Chudleigh, Ted
Clement, Tony
Cunningham, Dianne
Danford, Harry
Doyle, Ed
Elliott, Brenda
Fisher, Barbara
Flaherty, Jim
Ford, Douglas B.
Fox, Gary
Froese, Tom
Gilchrist, Steve
Grimmett, Bill
Guzzo, Garry J.

Jackson, Cameron
Johnson, Bert
Johnson, David
Klees, Frank
Leach, Al
Marland, Margaret
Martiniuk, Gerry
Maves, Bart
Munro, Julia
Murdoch, Bill
Mushinski, Marilyn
Newman, Dan
O'Toole, John
Ouellette, Jerry J.
Runciman, Robert W.

Snobelen, John
Spina, Joseph
Sterling, Norman W.
Stewart, R. Gary
Tascona, Joseph N.
Tilson, David
Tsubouchi, David H.
Tumbull, David
Vankoughnet, Bill
Villeneuve, Noble
Wettlaufer, Wayne
Wilson, Jim
Witmer, Elizabeth
Wood, Bob
Young, Terence H.

The Speaker: All those opposed, please rise one at a time to be recognized by the Clerk.

Nays

Agostino, Dominic
Bartolucci, Rick
Bisson, Gilles
Bradley, James J.
Caplan, David
Castrilli, Annamarie
Christopherson, David
Churley, Marilyn
Colle, Mike
Conway, Sean G.
Cordiano, Joseph

Grandmaître, Bernard
Gravelle, Michael
Hoy, Pat
Kennedy, Gerard
Kormos, Peter
Kwinter, Monte
Laughren, Floyd
Marchese, Rosario
Martel, Shelley
Martin, Tony

North, Peter
Patten, Richard
Phillips, Gerry
Pouliot, Gilles
Pupatello, Sandra
Ramsay, David
Ruprecht, Tony
Sergio, Mario
Silipo, Tony
Wildman, Bud

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 58; the nays are 31.

The Speaker: I declare the motion carried.

Pursuant to the order of the House dated September 16, 1997, this bill is ordered for third reading.

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Mr Richard Patten (Ottawa Centre): I beg leave to present a report from the standing committee on public accounts and move its adoption.

Clerk at the Table (Ms Lisa Freedman): Your committee begs to report the following bill without amendment:

Bill 74, An Act to amend the Audit Act.

The Speaker (Hon Chris Stockwell): Shall the report be received and adopted? Agreed.

Bill 74 is ordered for third reading.

STANDING COMMITTEE ON ESTIMATES

Mr Gerard Kennedy (York South): I beg leave to present a report from the standing committee on estimates and move its adoption.

Clerk at the Table (Ms Lisa Freedman): Mr Kennedy from the standing committee on estimates reports the following resolution:

Resolved, that supply in the following amounts and to defray the expenses of the following ministries and offices

be granted to Her Majesty for the fiscal year ending March 31, 1998:

Ministry of Health —

Interjections: Dispense.

The Speaker (Hon Chris Stockwell): Dispense.

STATEMENTS BY THE MINISTRY AND RESPONSES

CHILDREN'S SERVICES

Hon Margaret Marland (Minister without Portfolio [children's issues]): As minister responsible for children, I rise today in honour of National Child Day.

The government of Canada designated this day to commemorate two historic United Nations events: the adoption of the Declaration of the Rights of the Child on November 20, 1959, and the adoption of the Convention on the Rights of the Child on this day in 1989.

1400

The Convention on the Rights of the Child aims to ensure the health and wellbeing of children everywhere. It recognizes children's rights to survival, protection and development.

Today, people across Canada are celebrating our children through special activities and events. They are taking special time to listen to children, to respect them, to marvel at all they have to offer and to rejoice at the special meaning that children bring to our lives. They are taking special time to remember that our children are the most vulnerable members of our society. Everyone in our society has a shared responsibility for the care and protection of our children. They are our hope and dreams for the future.

I am honoured that Premier Harris has demonstrated our government's leadership and commitment to children in the most tangible way possible. The Premier's decision to appoint a minister responsible for children confirms the priority this government is giving to children.

I'm very excited about my new portfolio, which provides me with a unique opportunity to champion the government's actions for improving the wellbeing of Ontario's children. As a mother of three children and a grandmother of five, I am especially pleased with my appointment. Never has there been such a strong political will to put children first. Never has there been such consensus on the public policy agenda for children. Never has there been so much concrete action to help children realize their full potential.

Because it is National Child Day I would like to put my government's commitment to children on the record. A key objective to National Child Day 1997 is to increase understanding of the many factors that affect children's health. We know that one of the most important factors affecting children's health is early intervention and prevention. Our government believes strongly in intervention programs. These programs help children at an early age

and help prevent problems later in life. That is why the government allocated \$45 million in this year's budget for collaborative early intervention and prevention programs. These include:

Ten million dollars to Healthy Babies, Healthy Children. This universal screening assessment and lay home visiting program, administered by the Ministry of Community and Social Services and the Ministry of Health, will support expectant parents and families with children from birth to age six.

A \$20-million investment in preschool speech and language services for children, another joint effort between the Ministry of Health and the Ministry of Community and Social Services.

A \$4.6-million ongoing commitment to the Better Beginnings, Better Futures program, which combines the efforts of three ministries, communities and volunteers.

A \$10-million grant to the Invest in Kids Foundation to enhance professional training, research and public education and awareness programs.

That is why our government introduced Making Services Work For People. It is a framework that will guide our work as we redesign social services so that children will be able to more readily receive the services they need in their own communities. That is why our government fully participated with the coroner's office and Ontario Association of Children's Aid Societies in the Ontario Child Mortality Task Force. The Ministry of Community and Social Services welcomed the comprehensive and constructive recommendations it made in July of this year.

The government continues to address these recommendations, and that is why the Minister of Community and Social Services recently announced that a panel of experts will review child protection issues in the Child and Family Services Act. We are working towards a focused approach to protecting our children.

We know through research that investment in the early years is the foundation for lifelong achievement. This government has already intensified support for preschool children. We want to ensure that support continues for children entering school and in the early grades.

With our new education curriculum, our children will be helped to read, write and spell at an earlier age. Our standard province-wide report card will allow parents to clearly see how their children are doing in school. It will enable parents and teachers to identify learning problems early so that steps may be taken to help.

We also know that when children go to school hungry, they cannot concentrate. When they cannot concentrate, they are unable to learn. That is why our government is providing up to \$5 million in startup funding for children's breakfast programs. Already over 26,000 children have been assisted by almost 440 local child nutrition programs.

On the national level, the creation of the national child benefit, a joint federal-provincial initiative, provides Ontario with an opportunity to reinvest resources in children's services. It illustrates that federalism can work and is working. As well, it is a testimony to the power of our

shared vision for children. Federal, provincial and territorial ministers have agreed on the design of the national child benefit and are presently working towards an implementation date of July 1, 1998.

All of these initiatives reinvest in our children's futures. What is particularly exciting to me is that every one of them incorporates a unified and coordinated approach to policy development, planning and service delivery, ultimately improving the lives of our children in Ontario.

As minister responsible for children's issues, I will bring together partners in the public, private, voluntary and community sectors to support children's development. I will also coordinate outreach to children, families, representative groups and service providers.

Our government will continue to look for new ways to improve and promote children's healthy growth and development and to keep children safe on National Child Day and on every other day of the year.

In closing, I would like to thank the parents, educators, volunteers, community organizations, corporations and public sector partners that already do so much to support Ontario's children.

1410

WIFE ASSAULT PREVENTION MONTH

Hon Dianne Cunningham (Minister of Intergovernmental Affairs, minister responsible for women's issues): I am pleased to rise in the House today to speak about the very important issue of wife assault prevention. As you know, on November 4 I marked the beginning of Wife Assault Prevention Month. Making sure women are safe and free from violence is a priority for the Ontario Women's Directorate and for this government.

Wife assault continues to be a pervasive, terrible problem for thousands of women and their children. Sadly, almost every day we hear of still more women who are abused and even murdered by their husbands or partners. In fact, a 1993 report of the Canadian Panel on Violence Against Women showed that 27% of women had experienced physical assault in an intimate relationship. In 25% of those relationships, the women's partners threatened to kill them.

Women must be safe. Wife assault is a crime. As political leaders, as citizens of this province and as neighbours and friends we must act to end violence against women by their partners. This government is committed to our goal of stopping the violence and making sure women are safe in their homes and in their communities.

Just over two weeks ago, I announced this year's Wife Assault Prevention Month while visiting the Barbra Schlifer Clinic in Toronto. We were very pleased to contribute \$69,000 to the excellent work being done at this clinic.

I am pleased to tell you that earlier today, I and members of the Partners for Change Network launched two excellent television productions aimed at educating children and teens about violence prevention.

One production, called *You Oughta Know: Teens Talk About Dating and Abuse*, is a half-hour documentary focusing on teen dating. It describes how teens can recognize abuse and what they can do about it. This show was produced in partnership with Woodlawn Communications and the YTV television network and it will first air on November 24.

The second production is a series of short features called *Peace Break*. It was facilitated by NextMedia and produced with TVOntario. These segments are geared to eight- to 12-year-olds and give young people advice and suggestions on how to deal with difficult situations, such as bullies in the schoolroom. The productions will be available on cable in the classroom and a teaching guide will accompany them.

These initiatives are a very important part of our wife assault prevention month agenda. We need to involve everyone in wife assault prevention: the women who are being abused, their family members, work colleagues and neighbours. We also need young people to know early in their lives that violence is simply not acceptable. Young people also need to recognize violence and abuse early in their lives and they need strategies and ideas on how to cope and respond.

As part of my own schedule during Wife Assault Prevention Month, I visited Ernestine's Women's Shelter in Rexdale, the Scarborough Women's Centre and joined a round table with a group in Peterborough to discuss its excellent YWCA Week Without Violence.

We have many more announcements and events to come before the end of Wife Assault Prevention Month. My colleague the Attorney General and I will be opening new domestic violence courts in upcoming weeks. The six new courts will deal exclusively with domestic abuse cases. These courts will ensure victims have appropriate support as they go through the justice system and that perpetrators are accountable for their acts of violence.

Of course, our efforts to stop violence against women and wife abuse don't end with these activities. The Ontario Women's Directorate coordinates some 30 programs across nine ministries, programs that include shelters where women can find refuge from violence against women, programs for children who witness violence in their homes and programs to educate people about wife assault and how to become involved in preventing it.

In July we announced our Agenda for Action, a strategy that builds on the government initiatives of the past and makes sure programs are coordinated and effective. The agenda focuses on three fronts: safety, including crisis intervention and support; justice, so victims are supported and perpetrators are held accountable; and prevention, trying to stop the violence before it starts.

I want to assure you that this government will continue its efforts to improve community safety and to continue work to keep women free of violence in this province. I know all members of this House will join us in recognizing the many women who need our support and the many dedicated professionals and volunteers who work in, and often devote their lives to, this effort. I'd like to urge

everyone to accept personal responsibility to work towards ending violence against women and their children.

CHILDREN'S SERVICES

Mr Dalton McGuinty (Leader of the Opposition): I'm going to take the opportunity to address the statement made by the minister without portfolio responsible for children.

First of all, I want to congratulate the government for appointing this minister. But secondly, unless — and there's always an "unless" — and until this minister recognizes what this government is doing to Ontario children, she will not be able to lend them any real assistance. I want to help her in that regard right now.

First of all, with respect to education, Minister, you should know that with your government's abandonment of our province's commitment to education so far, 60,000 four-year-olds have been deprived of junior kindergarten. We all know that in a knowledge-based global economy, we absolutely need junior kindergarten. It's as simple as that.

We also know that your government has been making cuts to special education, and I just happen to have here a copy of a letter received from a teacher which reads in part as follows:

"In my class of 32 grade 5 and 6 students, I have five at-risk and special-needs children. Due to Mr Harris, I have lost an educational assistant, teacher-librarian and special education resource teacher. But our numbers have increased. Without a resource teacher, my special-needs children are not getting the education they did a mere three years ago."

That's what your government is doing to children in Ontario, Minister, and it's important that you understand that.

The other thing you've got to recognize is that one in five children in this province are growing up in poverty or are the subject of abuse or neglect. Kids are poor because their parents are poor, and parents are poor in part at least because you have cut welfare rates. It turns out that about half of the people in this province who are relying upon welfare are children: half a million children growing up in poverty in Ontario.

I have recounted in this House before how I have had the experience of visiting a young mother who used to receive \$1,400 a month in welfare. That was reduced to \$1,100 a month. She's a single mom. She has three little girls. She pays \$800 a month in rent. She doesn't have a phone. I asked her on the 11th day of the month if I might look inside her fridge and if I might look inside her kitchen cupboards to find out how much food she had in there. I can tell you that if you looked inside that fridge and those cupboards, you would say what all parents in here would say: "We've got to go shopping. There's no food in the house."

That's happening in your Ontario. You'd better open your eyes to that and you'd better stand up in cabinet and say: "Listen, what we're doing today is causing terrible

pain to our children. They are our future. We owe it to them and we're not going to let it happen."

WIFE ASSAULT PREVENTION MONTH

Mrs Sandra Pupatello (Windsor-Sandwich): I too welcome this new Minister Without Portfolio responsible for children and look forward to working with her to bring real change for children. I applaud the government on that appointment.

In response to Wife Assault Prevention Month, our party needs to just outline for the people of Ontario the government's record so far in dealing with women who suffer abuse: shelter funding slashed; second-stage housing slashed; welfare rates slashed; eligibility for legal aid funding down by 63%. All those who have to deal with violence in the family, particularly women, know they have to have access to the legal system in order to get out of these issues. They also know that the biggest issue for women who face violence has everything to do with economy and control of finances. I look at this minister and say we are disappointed so far by the performance of this government on this issue that impacts not just women but women and their children, their entire family.

We would like to see that these two ministers, both the one responsible for children and the one who spoke today regarding assault against women, should be working together instead to see that overall the entire implementation of policies by this government has done nothing to help women and in fact has only made it more difficult for women to get out of situations of violence. We would look forward to positive impacts by this government.

Finally, you released a video today to stop bullies in the classroom. I hope your emergency caucus meeting this morning had everything to do with 82 Conservative members —

The Speaker (Hon Chris Stockwell): Thank you very much.

1420

CHILDREN'S SERVICES

Mr Tony Silipo (Dovercourt): It's traditional to congratulate ministers on their first statement in the House, so I congratulate the new minister without portfolio. But I have to say that if today's statement from this minister is the indication of what her new tenure is going to bring to this government, it's a complete waste of time and a complete waste of taxpayers' money, because what we are seeing here in terms of this government's priority is nothing but continuing empty rhetoric.

When this minister says their priority is to put children first, that they have such a strong political will to put children first, yes, we are happy about the initiatives the minister has outlined, many of which were there under our government, which we are happy to see continuing. But what marks this government are not those particular initiatives, as important as they may be; what marks the actions of this government, what marks the priority of this

government when it comes to children, is a whole array of cuts, a whole array of destruction of supports to children.

The list is endless: cuts in the area of childhood education; cuts in the area of education; cuts in the early years programs; cuts to junior kindergarten; the cuts to education that we are debating here through Bill 160. Where is the priority with respect to children? There are the cuts to child care; the \$40 million they played around with for two years and still haven't spent in the area of child care; in fact, their direction to privatize child care rather than support children in a publicly funded child care system in this province.

And how can we forget, today of all days, the 22% cuts to social assistance? I know this minister wants to forget about that, I know government members want to forget about that, because it's convenient for them to forget about the fact that over 40% of the people on social assistance are children, I say to the new minister with responsibility for children. When families have trouble putting food on the table, that should be your first priority, Minister, and that should be the first priority of your government.

I look forward to other statements from you in this House. I hope to God that they are very different from the statement you have given us today, which is nothing but rhetoric and has nothing to do with prioritizing kids except to continue the cuts that your government has started.

WIFE ASSAULT PREVENTION MONTH

Ms Marilyn Churley (Riverdale): I'm responding to the minister responsible for women's issues. November is almost over and finally the minister is getting on her feet today to talk about the prevention of violence against women. I asked twice on Monday for consent; I asked again on Tuesday; I asked again on Wednesday. The government members said no, including the minister responsible for women's issues one day. They were forced to come forward today and make this statement.

I can tell you that the government House leader wanted an agreement that we wouldn't get political, that we'd remain non-partisan. Let me say to the government, as soon as they stop the vicious cuts and policy changes they have consistently made since they took over government that have directly hurt women and kids in this province and that are making it harder for women who are victims of violence in their own homes to escape, they might not have to worry about the opposition getting political. Their record shows a shocking lack of principles and compassion for vulnerable women in this province.

Interjections.

The Speaker (Hon Chris Stockwell): Order. Stop the clock.

Member for Riverdale?

Ms Churley: Cuts to welfare; second-stage housing gone; social housing commitments gone; rent control going; the family support plan in complete disarray; child care spaces cut; under the so-called education bill, child care spaces in schools gone; pay equity gone.

All these policy changes and cuts are hurting women, particularly vulnerable women. You still don't get it and you're still not listening to the people of this province. We're talking about real people here. The Solicitor General and others can yell at me and say it isn't true, but we've got all the evidence before us.

You should read the OAITH documents about what your policies and your cuts are doing to the vulnerable women of this province.

ORAL QUESTIONS

EDUCATION REFORM

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Minister of Education. We understand there was a second emergency caucus meeting held by your caucus today, and this is a result of the cracks that have appeared on the Bill 160 front, cracks you could drive a truck through at the present time.

We all know that public opinion is against you on this one, teachers are against this, students are against this, trustees are against this, all friends of public education are against this, your back bench is coming out against this, and several members of your own cabinet are against this. What is it going to take to convince you that the right thing to do, given that public opinion is clearly against you on this front, is to withdraw Bill 160?

Hon David Johnson (Minister of Education and Training): There's a fair amount of dreaming and wishful thinking going on here by the Leader of the Opposition. I will read from the Globe and Mail editorial today:

"We believe that, a few years down the road, the majority of Ontarians will look back on Bill 160 and conclude that it was the right decision. We also believe that, despite the Sturm, Drang and prognostications" —

Interjections.

Hon David Johnson: I guess they don't like to hear that the Globe and Mail says we're "merely following a path already well worn by other provinces."

Interjections.

The Speaker (Hon Chris Stockwell): Order.

Hon David Johnson: Perhaps a parent in Ontario, a parent who says, "I raised five children...chair of a board of trustees...spent a number of years teaching in a community college apprenticeship program," a parent who says, "I fully support the implementation of this bill."

Year after year, decade after decade, frankly, parents have been asking for better quality and taxpayers have been asking for better value. That's exactly what we're going to deliver in our total education program and through Bill 160.

1430

Mr McGuinty: I wish the minister would pay as much attention to the quotes from members of his own caucus as he does to the Globe and Mail. Maybe I'll just remind him of a few things they've been saying.

The member who sits to your immediate left, Minister, the Minister of Health, said this: "One issue of concern is that principals and vice-principals are going to be taken out of the bargaining unit. I would hope that we will look at whatever opportunities there are for compromise."

Toni Skarica, your colleague the member for Wentworth North, said, "I have a problem giving any one person, whether it be Premier Harris or anyone else, control over the whole system."

Trevor Pettit, the member for Hamilton Mountain, said, "I have a big problem with giving all the power over education to not just this Premier but any Premier that may follow."

Minister, I understand you've been doing a lot of scraping the bottom of the barrel to find out who it is out there who supports this bill, but tell me, why aren't you paying any attention to the members within your own caucus who are speaking out against your bill?

Hon David Johnson: Perhaps I should quote another member of this provincial Parliament, a gentleman by the name of Dalton McGuinty. According to the paper I have, in a radio show on October 29, 1997, the leader of the official opposition said: "Everybody, I think, believes you can find room for improvement in education. You can probably even find savings."

On Focus Ontario on October 18 the leader of the official opposition said, "I don't think anybody in the system, teachers included, believes the status quo is acceptable."

I agree with the leader of the official opposition.

Interjections.

The Speaker: The member for Scarborough East, come to order. Thank you. The member for Grey-Owen Sound.

Mr Gilles Pouliot (Lake Nipigon): He's got nothing on you, Dalton.

The Speaker: The member for Lake Nipigon, come to order, please.

Mr McGuinty: I want to thank the minister for quoting me so exactly. I am proud of those statements. There's no doubt that there's room for improvement. If you want to know what I believe on this front, there's no doubt that there's room for improvement, and there is no doubt that savings —

Interjections.

Mr McGuinty: There is room for improvement and everybody agrees to that effect, including all the teachers. Teachers even agree that there are savings to be had, but they insist, as I do, that they be redeployed in the classroom, for the benefit of students.

You have already taken \$1 billion out of the system. It's irresponsible, it's unconscionable to take another \$700 million out. That's where we differ. Everybody understands now that public opinion is against you on this one. That is very, very clear, and if you don't believe me, listen to the people at your constituency office. Every member here can just phone the people who work at their constituency offices and do a tally of the telephone calls and letters that are coming in. Once again, students, parents,

teachers, trustees, your own members and members of your cabinet are against this bill. Why —

The Speaker: Minister.

Hon David Johnson: The member opposite indicates that there's no doubt there's room for improvement, and I agree with him. Some members of this House wonder, to the member opposite, if there's room for a strike, because he seems to flip-flop on that particular issue.

There's just one other quote I want to bring to the attention of the House. It's from Focus Ontario and certainly answers the question. The Leader of the Opposition says, "We don't have any specific policies right now." I'm here to tell you that the government does have policies, policies to bring excellence and quality to our education system, policies to give, hopefully, our taxpayers a break, policies to bring accountability into the education system. We have those policies. We're going to improve the system and we're going to move ahead with Bill 160.

The Speaker: New question, leader of the official opposition.

Mr McGuinty: I have a question to the same minister. You cannot be blind to the fact that we have received, and you have undoubtedly received, tens of thousands of letters, faxes and e-mails as a result of this issue, and a great majority of those are against you on this front.

I have a particular letter here and I want to quote from it in part. It reads as follows:

"I am writing this letter as the daughter of a man who very proudly carried the banner for the provincial Progressive Conservative Party in Essex county in two provincial elections. For Mr Harris, Bill 160 truly marks a return to the 3Rs, repressive, reprehensible, representative of a draconian ideology.

"In conclusion, I thank God that my father has passed on to his eternal reward and was not here to see his beliefs and dreams for the Progressive Conservative Party of Ontario crumble behind the walls of the politburo in Queen's Park."

You know in your heart of hearts, Minister, as do all of your fellow members, that Bill 160 is wrong for education. Will you —

The Speaker: Minister.

Hon David Johnson: I guess we could wage a war of letters. I have a letter here: "We're parents of two school-aged children. Let it be known we support the government and not the teachers' union on this issue." Another letter: "I want to lend my support to your efforts to forge ahead with the passing of Bill 160."

We can go on and on all day, but in my heart of hearts what I know is that the parents and the people of the province want to see reform in our education system. They want to see our children have more instructional days. They want to see that our class sizes should not consider going up, that the number of children in the average class size should not continue to increase. They want to ensure that our students have the ability to have qualified individuals to assist our teachers in bringing quality into the classroom. They want reform of the taxing for the education system so that taxes don't continue to escalate. These

are the kinds of reforms that are contained in Bill 160, and these are the kinds of reforms we intend to implement.

1440

Mr McGuinty: Everybody wants reform, but you want it by asking for the surrender of our teachers. We don't need their surrender, we need their help, and there's a world of difference. Here's a letter from a parent:

"My eldest child has moved to the University of Toronto in his second year of performance music. His love of music was fostered in elementary school by a young teacher who, when nothing else seemed to be going well for my son, asked him how things were going in music. Well, things started to go well in music, then and now.

"Your bill has alienated our teachers. These are the people who face our children every day. Ask yourself, Minister, if ramming this legislation through against the will of teachers instead of working out a more successful solution with those directly affected is a smart thing to do."

I want to ask you that question right now on behalf of Andrienne Kirkness from London, Ontario. Is it a smart thing to do to try to bring about change in education without the goodwill of our teachers?

Hon David Johnson: I do want to make it clear that this government values, has always valued the role of the teacher in our education system. They are central. They are the front-line workers. They are critical to the future of education in the province of Ontario. I assure you that this government will be working closely with the teachers to ensure that the reforms that parents have been asking for, the reforms that many teachers have been asking for for many years will be implemented to best advantage to serve the students of Ontario.

That would be my response to this individual and to other people. There is a great deal of concern across the province. We can all work together. We can all make a better education system in the province of Ontario.

Mr McGuinty: I want to quote again from that letter from the woman whose father ran on behalf of your party in two provincial elections:

"An ability to listen to his constituents was the hallmark of my father's successful 37-year career in municipal politics. He never shied away from difficult decisions. However, he did respect and honour the opinions of those who placed their trust in his leadership."

What I want to ask you, Minister, is, will you honour the opinions of our teachers, of our students, of our parents, of our trustees and even of those members of your own caucus who have spoken out and those members of your cabinet who have spoken out? Will you honour majority opinion in the province of Ontario and kill Bill 160?

Hon David Johnson: The members of this government over many years in their walks of life have listened to parents, have listened to the people of the province of Ontario asking for reforms. This is not just a process that's begun recently. Recently the process of consultation has been much more focused and intense, but people representing this government and indeed I'm sure represent-

ing the opposition parties have listened for years to people asking for reform.

Through the public hearing process, a mother of two indicated, "The reason I support the government's efforts and changes to our educational system is simple: I do not believe in mediocrity."

Another parent: "I pay a lot of school taxes and I still do right now. There's too much administration and frankly I'm fed up with paying. I have to commend this bill for finally starting to address a lot of the inefficiencies in the education system, and I'll tell you, there are a lot there."

Another parents says: "I would encourage the ministry to hold fast on taking control of class size." On and on it goes.

People have asked for reform. This government is going to respect that and proceed with education reform.

EDUCATION FINANCING

Mr Bud Wildman (Algoma): I have a question for the Minister of Education and Training. It's interesting that the minister would quote from a couple of letters. I think most of his caucus is thanking their lucky stars for the postal strike. They've turned off all of their fax machines so the faxes are coming to us because they don't want to get them.

Interjections.

The Speaker (Hon Chris Stockwell): The member for Algoma.

Mr Wildman: Thank you, Speaker. The fact is that this issue about Bill 160 goes beyond the issue itself in the education system this government is taking so much money out of. It's gone to the point now of the basic belief in democracy in this province. The vast majority of the population in this province opposed Bill 160, yet the government continues to go through.

There are provisions within Bill 160 that are very, very disturbing. Yesterday the minister could not explain why his government is determined for the transitional period, which he won't define, to set property taxes for education behind closed doors by regulation rather than doing it normally through debate and legislation. The only reason he could give was that it is more convenient for the Ministry of Finance. Does the minister truly believe that convenience for the government should override the most fundamental principle of no taxation without representation?

Hon David Johnson (Minister of Education and Training): That issue did come up yesterday. On checking into the situation, we have found that in Alberta, 49% of the education tax is actually raised —

Mr Sean G. Conway (Renfrew North): I am sure in Albania it's even more impressive.

Interruption.

The Speaker: Order in the gallery. Minister.

Hon David Johnson: Some 49% of the education dollars in Alberta are raised through regulation on the property tax. The member asked, what about Albania? Let me tell you about one other province, British Columbia. Does

that ring a bell, the province of British Columbia? Does that have any particular significance? Would it be the fact that there's an NDP government in power in British Columbia? In British Columbia, 30% of the education dollars are raised through a regulation on the property tax.

We have indicated that through this transition period there is a need to ensure that this process works smoothly. We have also indicated that this government will institute a legislative process at the earliest opportunity, perhaps even as early as a year from now.

Mr Wildman: I would suggest that the earliest opportunity is right now.

The minister is talking about setting \$6 billion in taxes behind closed doors by regulation and he says that the government has a commitment to freeze the property taxes, despite the fact that there's going to be reassessment and property taxes for many will go up. I wonder if this commitment is similar to the government's commitment not to cut any funding from classroom education. Why doesn't the government, if it has a commitment, put it in legislation so it can be debated by the public, debated in this Legislature, and passed like every other tax measure in this province?

Hon David Johnson: The House leader for the third party has indicated that we've committed to a freeze and he's right. This government has listened to the people in the province of Ontario; listened to the business community, for example, right here in Metropolitan Toronto where we are today, where they issued a report three or four years ago entitled Killing the Golden Goose, wherein the main concern was the escalating property tax for education purposes, driving business out of Metropolitan Toronto. That was the number one concern of the business community in Metropolitan Toronto. Homeowners, senior citizens, families struggling to pay their property taxes have said, "Please do something for us."

The previous Liberal government would not come to grips with it. This government is coming to grips with it. This government is reforming the education property tax. It is going to make sure that the escalating increases do not occur in the future and give protection to our taxpayers.

1450

Mr Wildman: This government is attempting to trick the population in this province. They want to hide a tax increase behind reassessment. That's what this is about. They also want to hide cuts in education behind this bill. Well, people know what this bill is about. You want control of the education system so that you can cut another \$670 million from education. Why won't you allow these issues to be debated and passed the way they're normally done in a democracy? Bring a bill into the House that deals with property taxation for education. Will you do that?

Hon David Johnson: Members on this side find it somewhat interesting that a member of the NDP would talk about cuts to government when during the expenditure control program and the social contract they cut almost \$600 million out of the education system in Ontario. If

there is another crime being perpetrated on our children in our communities, it's the fact that there's that huge debt and the deficits which were passed by the NDP government on to the shoulders of our young people, a burden that they are going to have to bear in future years.

This government, through Bill 160, through other reforms, is committed to instilling a quality education program with a higher degree of accountability, but at the same time to bring fiscal responsibility to the whole education system. That's what our whole program is about.

VISITORS

The Speaker (Hon Chris Stockwell): I would to just take this opportunity to introduce in the Speaker's gallery a contingent from Quebec, here on a parliamentary committee meeting with their counterparts in Ontario. Welcome.

EDUCATION REFORM

Mr Bud Wiidman (Algoma): I have another question for the Minister of Education and Training. I suppose the minister defines fiscal responsibility in terms of borrowing billions of dollars to provide a tax cut to the wealthy.

I want to return to the question of basic democratic rights in Canada and the way they have operated historically in Ontario —

Mr Garry J. Guzzo (Ottawa-Rideau): Social contract.

The Speaker (Hon Chris Stockwell): The member for Ottawa-Rideau, I'm not going to warn you again. If I do, I'm going to name you. Member for Algoma.

Mr Wildman: Thank you, Speaker. We have already seen that the government is not prepared to commit to the basic democratic principle of no taxation without representation. I'd like to turn to one other matter under Bill 160. Under this bill, democratically elected trustees to school boards in this province can be fired by the minister if the minister believes that they are not following the directives sent out by the minister. Surely, these people are elected locally to represent the concerns of the public about education in their own local area. How is it the minister will believe that he should be able to fire an elected representative of the people because he won't follow the instructions of the minister?

Hon David Johnson (Minister of Education and Training): I must be misunderstanding the member opposite because — and I know this appeared in an editorial somewhere, but this has been clarified many, many times since — this power, which has existed since 1935 in the Municipal Act, only pertains to situations of default in boards. It has been applied in very rare occasions since 1935. What is simply happening here is that it's being transferred from the Municipal Act to the Education Act, where it has belonged all along.

This has appeared in any number of newspaper articles over the last number of days, saying this in fact is no change whatsoever. In fact, I could quote from the Ontario

Catholic School Trustees' Association. It's always been there. It says: "The only situation in which this can happen is when the school boards have been taken over by the minister because of financial default. This is not new legislation, but presently is incorporated in the Municipal Act. Bill 160 does not change the powers of the minister in connection with defaulting school boards." That's what it's all about.

Interjections.

The Speaker: Order. Member for Lake Nipigon. Member for Algoma.

Mr Wildman: The government is running roughshod over local decision-making in this bill. Bill 160 takes away from local trustees the power to make decisions around curriculum, the flexibility to meet local needs, the ability to determine how the money should be raised and distributed to meet the local needs of the community. This government is determining that they must centralize control here at Queen's Park for one reason and one reason only, and that is your desire to take almost \$1 billion out of the education system. The public knows that and it's clear that the public is opposed to it. Why won't you listen to the majority in Ontario and back off of this legislation and respond to the real needs of education and kids and students across the province? Back off of Bill 160 and listen to the public; listen to the majority in Ontario.

Hon Mr Johnson: I will listen to the Ontario Catholic School Trustees' Association. The member opposite has asked about the power of the trustees. The Catholic school trustees association poses that very question. They say, "Is it true that under Bill 160 the minister is given new power to establish policies and guidelines respecting the roles and responsibilities of board members?" The opinion of OCSTA's legal counsel is that nothing in such policies or guidelines established by the minister can override or supersede the authority expressly given to trustees in the Education Act or in the regulations.

This shows the problem we face. There are so many myths, so many situations that aren't factual about this whole bill that have been growing in leaps and bounds. I don't know where to point to, where they came from. This bill respects the role of the board members, the school councils and the various schools. They all have an important role to play. I just would commend the member to read this kind of material.

Mr Wildman: This is a basic argument that the government has yet to hear. The public in this province has made it clear that they are very concerned about Bill 160. They're very concerned about the desire of the government to take another \$1 billion over the \$800 million that you've already taken out of classroom education in this province. They're very concerned about your desire to lay off somewhere between 6,000 and 10,000 teachers in this province. They don't want Bill 160 rushed through this Legislature. You are determined to move it forward despite their concerns. Why is it you want to concentrate so much power among the great pooh-bahs here at Queen's Park rather than leaving it to local people to

make their own decisions about the education of their kids the way we have historically in this Canada?

Hon David Johnson: I'm glad that the public is concerned about education. That's good; that's a healthy sign. But we know here today that the public unfortunately is being fed a number of myths and a number of situations that aren't factual. That is raising the concern in an unhealthy way. The member has indicated himself that he thought, up until this afternoon, that the government, at the drop of a hat, could take over school boards, could fire trustees, could fire officials. We know that's not true. We know that's only in the case of a financial default, gross mismanagement. His own member to his left indicates that's true.

There is a fear that the government has given itself absolute power during the transition period for example to override any act or regulation. That's known as the King Henry VIII clause. All the members of this House know that occurred three times in the bill; they're all gone. They've all been voted down at the committee; not one of them is left; not one of those powers is left in the bill.

1500

EDUCATION FINANCING

Mr Gerry Phillips (Scarborough-Agincourt): My question is for the Minister of Education. I think the public should recognize what the minister said today, and that is that within a year the government plans to bring in amendments to the bill. The government admitted today that it has to change the bill within a year. That just shows how sloppily and how badly put together this bill is.

You indicated that what I call the Mike Harris property tax bill will be set by regulation. You indicated that businesses in this province will have to pay well over half of their property tax to fund education. You have indicated that residents in the province will pay exactly the same rate no matter where they live. I'm asking this on behalf of the business community, because in five weeks they will be paying the new Mike Harris property tax bill. Is it the plan of the government that no matter where your business is in the province, you will pay the same Mike Harris property tax bill on education?

Hon David Johnson (Minister of Education and Training): First of all, I remind the member opposite that the approach taken in Ontario will be the same approach as taken in Alberta and in British Columbia with regard to funding the education system.

The business community will be pleased, because the business community for many years has expressed concern about escalating property taxes for education purposes. We have indicated that with exactly the same taxpayers in the business community, they will pay, in total, the same amount of property taxes for education as they did in 1997, so there will be a freeze in that regard. In total, the existing business community will not pay more taxes in 1998 than they did in 1997. That will be good news for the business community of the province.

Mr Phillips: You're going to have to actually answer the question, Minister. You may be tired and you may have difficulty in understanding the question, so I'll repeat it for you.

The business community wants a straight answer on this. What is your plan? The reason I raise this is that we have no opportunity to debate this. You are going to set this with the stroke of a pen — no debate in the Legislature, no bill in the Legislature, no opportunity for the business community to respond to it. I say again, we want a simple answer, because five weeks from now, for businesses, over half of their property tax will be Mike Harris. Is it your plan that businesses, no matter where they are in the province, will be charged by Mike Harris the same mill rate on education? Yes or no?

Hon David Johnson: I'm reminded by a note that has come in about the commercial concentration tax implemented by the Liberal government, so one wonders at the expertise of the Liberal Party in the area of taxation.

I don't know how I can make it more clear. We have indicated that the business property taxpayers who are here today in Ontario in totality will not pay more taxes in 1998 than in 1997. That is the answer. That is the commitment we have made, and the business community has been waiting for years, during the various regimes of the NDP and the Liberals, escalating property tax for education purposes over a 10-year period. This is good news. Their businesses taxes in totality will be frozen.

EDUCATION REFORM

Ms Marilyn Churley (Riverdale): I have a question for the Minister of Education. Yesterday my leader announced that our caucus is joining with the East End Parents' Network of Metro Toronto in launching a petition campaign to force a referendum on Bill 160.

Your own standing committee report on referenda says that if 10% of the voters of this province sign a petition demanding a referendum within 180 days, the government should have to put the question to the people and abide by the result. When the report was released, the member for Brampton South, who is now Minister of Transportation, said that he was "proud that we in the Harris government are living up to our commitment to bring issues vital to our province to the people for their input and allow their voices to be heard."

I can't think of an issue more vital to the province than the education of our children. Does the government now reject referenda and repudiate the report of its own MPPs?

Hon David Johnson (Minister of Education and Training): I also can't think of a more vital component of our society than education; I agree with the member opposite. Because I agree with that and I recognize that this item, this issue of education, has been studied to death over the years — we have the report of the EIC in *The Road Ahead*; the member opposite, during her term in government, will remember the Royal Commission on Learning —

Interjections.

The former Minister of Education for the NDP government, a co-chair of *The Road Ahead*, says we should get on with it, that it's time for reform. The former government commissioned the Sweeney task force, a former Liberal cabinet minister: another report. I have another report here which lists the Honourable Sean Conway as the minister.

The Speaker (Hon Chris Stockwell): Answer, please.

Hon David Johnson: We have had report after report, study after study. The people of Ontario are saying it is time to get on, to put that quality —

The Speaker: Thank you, Minister.

Ms Churley: Minister, the people of Ontario are telling you to listen to them, and they don't like your so-called reform. If you think it's so good, why don't you put it to the people? You seem to keep saying that any expression of democracy is a delaying tactic; anybody and anything that gets in your way is described as a delaying tactic. You even see your own caucus members as obstacles to be walked over on their way to neo-Conservative heaven.

Minister, I am telling you right now it is not going to work. The parents and students and teachers of this province are not going anywhere. They will be demanding a democratic vote on your undemocratic bill.

I'm going to try again. It's time for you to wake up and listen to the people. They do not want this bill. If 10% of the people of Ontario sign a petition within the next 180 days calling for a referendum on Bill 160, will you hold a binding referendum, yes or no?

Hon David Johnson: There's one thing the member opposite and I agree with, and that is that the people of Ontario are most important. The people of Ontario have been involved and we have listened to the people of Ontario for —

Interjections.

The Speaker: Member for Hamilton Centre, please come to order.

Hon David Johnson: The people of Ontario have spoken through the Education Improvement Commission, through the Royal Commission on Learning; the people of Ontario have been involved at the public hearings; the people of Ontario have been consulted by the former minister for many, many months on this very topic.

The people of the province for decades have been saying: "Do something about the curriculum. Do something about the testing. Do something about the number of days, the amount of time our students have in the classroom. Do something to improve the quality of education. Do something about the tax system around the education system" — for years. This government has listened and this government is determined to take action to address the very problems that the people of Ontario have identified.

1510

BUILDING CODE

Mr Derwyn Shea (High Park-Swansea): My question is for the Minister of Municipal Affairs and Housing.

Members of this House are familiar with the Ontario building code. Those of us who have municipal experience behind us are familiar with the importance of the Ontario building code.

After extensive consultation, a few days ago you released a number of amendments to the code. I wonder if you'd be good enough to tell members of this House what you consider to be the most important amendments, and would you give some reasons for the amendments and tell us when the changes are to come into effect?

Hon Al Leach (Minister of Municipal Affairs and Housing): I'd like to thank the member for High Park-Swansea for the question. I'd like to let everybody know that the new Ontario Building Code has a back-to-basics focus on health, safety and accessibility for persons with disabilities. The revisions will mean more consumer choice and will let builders take advantage of new products.

We want to create a more cost-effective building code that encourages growth and more jobs, and not make more regulations. We're committed to consumer protection. We're not committed to red tape; we're eliminating red tape. Streamlining processes will keep costs of building down. It's going to encourage investment and growth and it's certainly going to create jobs.

We consulted with all of the stakeholders involved in the building code over a year. There were more than 650 amendments put forward. Most of those have been acted on. This will make life much easier for people who are affected by the building code. The new code will take effect on March 16, 1998.

Mr Shea: That was good news for the housing industry, Minister, as well as for the consumers of Ontario. I know my constituents would be interested in hearing a few examples of some of the areas that have changed in the 1997 Ontario building code and I wonder if the minister would be good enough to pass along some of those details for us all to hear.

Hon Mr Leach: I would be more than pleased to pass that information on to the people of Ontario who have a great interest. This government has made improvements in a number of areas, with two of the most significant areas being fire safety and improved accessibility. Sprinkler systems will now be required for all care facilities, retirement homes, hospitals and nursing homes, which house a high number or volume of tenants.

The coroner has also endorsed these changes of going a long way to protecting our seniors. The Ontario building code also has levels of accessibility for disabled persons which far exceed what is required in the national building code. Our code requires that more building entrances and more interior spaces be barrier-free and that there are more doors with power openers. We believe these very positive changes will improve the health and safety issues of Ontario's new buildings.

GOVERNMENT ADVERTISING

Mr James J. Bradley (St Catharines): I have a question for the Minister of Health, a person who had a distinguished career as the chair of the Waterloo board of education and as a member of the teaching profession. As Minister of Health, would you ever authorize vicious attack ads by your government against the front-line workers in the field of health care?

Hon Elizabeth Witmer (Minister of Health): Mr Speaker, I would refer that question to the Minister of Education.

Interjections.

The Speaker (Hon Chris Stockwell): The minister is allowed to refer any question, actually. Minister of Education.

Hon David Johnson (Minister of Education and Training): It's clear that the member for St Catharines is up to mischief, as usual, and we commend him for his ingenuity. But obviously, as we know from the House proceedings over the course of the week, he's referring to ads run with regard to the education problem.

Today, we've explored and exploded some of the myths involved around Bill 160, some of the exaggerations and distortion. That's the problem we face.

I see in the Toronto Star today a footnote under Ian Urquhart's column which says: "There have been repeated allegations by teachers and their unions that Bill 160 gives the Minister of Education the power to appoint non-teachers as principals. This has conjured up images of car dealers and Canadian Tire franchisees running schools. But the allegations are false, as the unions now acknowledge."

This is the problem that we face and we need to communicate with the people of —

The Speaker: Supplementary.

Mr Bradley: My supplementary is to the Minister of Health and it's about the Ministry of Health. Minister, you have been justifiably critical of the Harris government television ads which attack teachers and school trustees in a vicious manner and try to portray them in an extremely unfavourable light. I heard you on CBC today. You admitted on CBC Radio today, "People on all sides have been communicating messages that are not always accurate." That obviously means the Harris ads as well.

Minister, would you allow Guy Giorno and the back-room crowd in the Premier's office, the unelected ideologues, to dictate the content of Health ministry ads as they have the attack ads on teachers and trustees, or would you overrule the whiz kids and prohibit such attack ads at the expense of the taxpayers of this province?

Hon David Johnson: We all enjoy the member for St Catharines. My only regret is that this is Thursday and I don't get to hear your question tomorrow on this particular topic.

In terms of advertising, there is a need for every government to communicate with the people of Ontario. In 1989, when your government spent over \$13 million on advertising, you probably thought that advertising money

was well placed. Our government would never spend that amount of money in terms of advertising. We don't believe we should spend as much on advertising as your government did in 1989. Nevertheless, there is a need for the government to indicate to the people the difficulties that are being faced and the programs the government is implementing.

POST-SECONDARY EDUCATION

Mr Bud Wildman (Algoma): In the absence of the Premier, who I guess is out reading Mr Silly again, I'd like to direct a question to the Minister of Education and Training regarding the Premier's comments. I know his great interest in books and reading.

Yesterday the Premier told the public what he thinks about post-secondary education in geography, sociology and the humanities in general. He said, "Their graduates are in surplus and have very little hope of contributing to society in any meaningful way." What post-secondary degrees does the minister believe would put graduates in a position of having "very little hope of contributing anything in any meaningful way to society"?

Hon David Johnson (Minister of Education and Training): I'm not going to get into the tangle of that particular question.

Interjections.

The Speaker (Hon Chris Stockwell): Order.

Interjection.

The Speaker: No, you get one warning today. Minister.

Hon David Johnson: What I will say is that we are always striving for excellence within our education system, particularly in this case at the post-secondary level. The Premier and I did meet with representatives of the universities yesterday. I am pleased to say that in the Maclean's ranking recently, the University of Toronto came out number one and most of our universities finished right at the top of the list. Indeed my old alma maters of McMaster and Waterloo did particularly well.

Interjection.

The Speaker: Member for Cochrane South, come to order, please. Thank you.

Hon David Johnson: The bottom line is that I think the Premier is indicating we need excellence in the system. The universities in the past have served us well. There is a time for change and we're looking for the change to serve the future.

Mr Wildman: We have many well-respected post-secondary institutions in Ontario like Waterloo, Sir Wilfrid Laurier, Queen's, Laurentian, Western, McMaster — many. But since the minister refers to the University of Toronto, which is one of the great post-secondary institutions not just in Canada but in the world; if the minister just goes outside this building, he'll see banners on the street showing distinguished graduates of the University of Toronto who have contributed to society after receiving degrees in fields such as sociology and geography.

Does the minister believe that people such as Maureen Kempston Darkes of GM Canada, or Lester B. Pearson, former Prime Minister of Canada, or even David Tsubouchi or Bill Saunderson have not contributed in any meaningful way to society?

Hon David Johnson: How can I respond to that other than to say they all speak for themselves — tremendous contributions, and particularly I look behind me and acknowledge the contribution, as I'm sure the House leader does, of the Honourable David Tsubouchi.

1520

ENVIRONMENTAL PROTECTION

Mr Harry Danford (Hastings-Peterborough): My question is for the Minister of the Environment. As I think most members in this Legislature know, the Deloro mine site is located in the Hastings-Peterborough riding. Yesterday there was an article in the press that reported the ministry was attempting to solicit donations from a charitable organization. Could you please clarify for the record the context of that suggestion.

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): The Deloro mine site is truly an environmental disaster which was put upon this province in the early 1900s. This particular site was abandoned and in 1987 the province took it over and approximately \$9 million has been spent to clean it up. We expect and we're in the throes of putting forward the plan to put this site back in place. It could cost as much as \$18 million more.

We have encouraged public participation in the process from all levels of government. A letter was written from the ministry to the Sierra Legal Defence Fund asking it for two things: participation in cleaning the site up and sitting on a liaison committee, and if in fact they wanted to participate in a monetary sense, we welcome their contribution.

Mr Danford: I know you're well aware how familiar I am with the conditions at the Deloro mine site and I'm also well aware of the lack of action put forth by the former government, which did absolutely nothing to address this need. The fact that this government this past summer has initiated plans to clean up this site was certainly good news for my —

Interjections.

The Speaker (Hon Chris Stockwell): Order, member for Parkdale.

Mr Danford: The fact that this government this past summer has initiated plans to clean up this site was certainly good news for the residents of my riding, but more specifically, Minister, can you clarify for me what efforts and exactly what funding will go along with those efforts to clean up the Deloro mine site?

Hon Mr Sterling: With the help of my ministry's environmental protection fund, which I might add the previous government let diminish to almost nothing — this government has increased that fund to nearly \$10 million in just two years. But I would still encourage any organi-

zation, whether it's private or charitable, to contribute to this worthy endeavour. In fact I have asked the federal government to participate, and although the previous federal government did participate in the first \$9 million, this federal government has refused to participate.

Interjections.

The Speaker: Order. Member for Hamilton East, I'm not warning you. Come on. Minister.

Hon Mr Sterling: We are seeking partnerships with people across Ontario to participate in cleaning up our environment. We invite everybody to be involved. This is a significant environmental disaster site which we inherited as a government. We are acting. We are putting our money where our mouth is. We are asking other citizens of Ontario if they would like to join with us in —

The Speaker: New question, official opposition. The member for Sudbury.

EDUCATION REFORM

Mr Rick Bartolucci (Sudbury): My question is to the Minister of Education. Patricia Bradshaw, an esteemed associate professor from the school of business at York University, has been published in the *Globe and Mail* as saying your business model is wrong for education and that principals and vice-principals should not be removed from their federations.

She said: "I suspect that principals and vice-principals will, because of their distrust for the government, resign from their positions and return to the classrooms. I don't blame them given the fact that Bill 160 was changed at the last minute."

She further states: "The principals and vice-principals of my children told me when my child needed help from a therapist, they mediated serious conflicts between children in the school yard, they told me that my children have learning difficulties and what I should be doing about it."

She said: "They carry an ethic of care and a team-based model of work which I have never seen in the business school or in business."

Minister, in light of what this esteemed professor has said, will you withdraw the amendment from Bill 160 which involves principals and vice-principals?

Hon David Johnson (Minister of Education and Training): I agree with many of the sentiments in there, that principals do care, principals are very involved in their schooling activities and principals do have a large number of very important functions within the school, directed to the children, directed to the parents and directed to the teachers, who report to the principal. In that connection they have discipline, for example, as one of their activities and responsibilities. Hearing concerns of the parents, perhaps with regard to teaching staff is another one of their responsibilities.

There are many, many responsibilities that they perform. The problem is that many of those responsibilities are of a management nature and yet the principals are contained within the union. There is a basic conflict there and it is a problem. In the *Toronto Star* today there is an

article. It doesn't agree with the timing, but it points out the conflict that some of the principals are in.

The Speaker (Hon Chris Stockwell): Thank you. Supplementary.

Mr Bartolucci: Minister, your amendment removing principals and vice-principals from their federation is bad for students, it's bad for learning and it's bad for the collaborative approach that is necessary for a student's education. Students are telling you this, parents are telling you this, trustees are telling you this. Even the Ontario Catholic School Trustees' Association, on page 24, says: "It's punitive, vindictive and unnecessary."

Principals and vice-principals are telling you this. The former Minister of Education is telling you this. The Minister of Health is telling you this. Parent councils are telling you this and they're so concerned they're resigning over it.

Listen, every partner in education, Minister, is telling you that removing principals and vice-principals from their federations is wrong. Will you, in light of what every partner in education is telling you, withdraw that amendment from Bill 160?

Hon David Johnson: There are differences of opinion on this matter. There is no question about that. Some people don't support it, but I can tell you there are other people who support having the principals and vice-principals out of the union to avoid this conflict. The Ontario Parent Council supports having the principals and vice-principals out. The Ontario Coalition for Education Reform supports having them out. There are other organizations that support it.

Essentially, there is a basic conflict situation. I think that once the principals are relieved of this conflict, it will make their jobs easier and support them more in their duties to serve everybody — their own staff, the students and the parents.

1530

BUSINESS OF THE HOUSE

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): I have the weekly business statement. Pursuant to standing order 55, I wish to indicate the business of the House for the week of November 24.

On Monday, the Liberal Party has an opposition day in the afternoon. It's our expectation that if Bill 161, the Fairness for Parents and Employees Act, does not receive second reading, we would continue with that in the evening of Monday.

On the afternoons of Tuesday, Wednesday and Thursday, it's my intention to call the following three bills: Bill 142, the Social Assistance Reform Act; Bill 152, the Services Improvement Act; and Bill 160, the Education Quality Improvement Act. The timing of those particular acts and on which day they will appear will depend upon the printing of those acts and whether or not they will be available to debate on those dates. I will try to make it as

clear as possible when they will be called as soon as those particular acts are printed and appear on the order paper.

In the evening of Tuesday, November 25, we will continue on Bill 161 if it has not already been completed.

On Wednesday night, we will be dealing with Bill 61, the Government Process Simplification Act, put forward by the Attorney General; Bill 140, the Financial Services Commission of Ontario Act; and Bill 139, the Game and Fish Act.

We will not be sitting on Thursday evening; that is not the plan at the present time.

PETITIONS

EDUCATION REFORM

Mr David Caplan (Oriole): I have a petition from over 200 students at A.Y. Jackson Secondary School in Oriole. It's a petition of non-confidence. It says:

"Whereas the government of Ontario has not listened to the public on Bill 160; and

"Whereas the government of Ontario has chosen to overtly deceive the people of Ontario as to the true objectives of Bill 160; and

"Whereas we, the people, believe that no government has a mandate to act in isolation of the wishes of the electorate of this province, and we have lost confidence in the government;

"We, the undersigned electors of Ontario, petition the Lieutenant Governor to dissolve the Legislature and call a general election forthwith."

I wholeheartedly agree with the petition, and I certainly affix my name to it.

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton Centre): The following petition from union members of CAW and the United Steelworkers of America is regarding the Workers' Health and Safety Centre and clinics.

"Whereas approximately 300 workers are killed on the job each year and 400,000 suffer work-related injuries and illnesses; and

"Whereas the government of Ontario continues to allow a massive erosion of WCB prevention funding; and

"Whereas Ontario workers are fearful that the government of Ontario, through its recent initiatives, is threatening to dismantle workers' clinics and the Workers' Health and Safety Centre; and

"Whereas the workers' clinics and the Workers' Health and Safety Centre have consistently provided a meaningful role for labour within the health and safety prevention system; and

"Whereas the workers' clinics and the Workers' Health and Safety Centre have proven to be the most cost-effective prevention organizations funded by the WCB;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to immediately cease the assault on the workers' clinics and the Workers' Health and Safety Centre; and

"Further we, the undersigned, call upon the Legislative Assembly of Ontario to ensure that the workers' clinics and the Workers' Health and Safety Centre remain labour-driven organizations with full and equitable WCB funding and that the WCB provide adequate prevention funding to eliminate workplace illness and injury."

I proudly add my name to theirs.

EDUCATION REFORM

Mr John O'Toole (Durham East): I'm pleased to present a petition from Ms Cathy Abraham, who had a school community meeting last week which I was unable to attend. She has given me a number of petitions which, with your permission, I will read into the record.

"During the past two weeks the children of our community have not attended school, the teachers have raised the red flag concerning Bill 160. We as community members know that this bill is not about provincial report cards, is not about improving curriculum and is not about standardized testing. As community members, we are demanding that Mike Harris and the government of Ontario open Bill 160 to further discussion and negotiation."

I'm pleased to support that further discussion, in fact working together, is how we will go forward with Bill 160 when it has become law.

Mr Gerard Kennedy (York South): I have a petition to the Legislature of Ontario, a petition of non-confidence:

"Whereas the government of Ontario has not listened to the public on Bill 160; and

"Whereas the government of Ontario has chosen to overtly deceive the people of Ontario as to the true objectives of Bill 160; and

"Whereas we the people, believe that no government has a mandate to act in isolation of the wishes of the electorate of this province, and we have lost confidence in the government;

"We, the undersigned electors of Ontario, petition the Lieutenant Governor to dissolve the Legislature and call a general election forthwith."

I have here hundreds of what are thousands of people who have signed this, and I affix my signature to the top of this petition.

Ms Shelley Martel (Sudbury East): I have a petition that has come to me from Carl A. Nesbitt Public School in Sudbury. It reads as follows:

"Whereas Bill 160 originally maintained principals and vice-principals would remain as members of the teachers' federations; and

"Whereas the proposed amendments were introduced after the hearings had been completed; and

"Whereas the proposed amendments will seriously destabilize the education system, causing unnecessary stress on our established school teams;

"We, the undersigned electors of Ontario, petition the Lieutenant Governor to withdraw those sections of Bill 160 which impact the current status of principals and vice-principals as members of the teachers' federations."

I agree with the petitioners, and I have signed my name to it as well.

Mr Dan Newman (Scarborough Centre): I have a petition here I'm presenting on behalf of the member for Mississauga South, who as a minister is unable to present petitions to the House. It's a petition regarding Bill 160 from Marie Germain and the Mississauga Parents Forum.

Mr Peter North (Elgin): This is a petition regarding the Bill 160 proposed amendments with regard to the principals and vice-principals.

"Whereas Bill 160 originally maintained principals and vice-principals would remain as members of the teachers' federations; and

"Whereas the proposed amendments were introduced after the hearings had been completed; and

"Whereas the proposed amendments will seriously destabilize the education system, causing unnecessary stress on our established school teams;

"We, the undersigned electors of Ontario, petition the Lieutenant Governor to withdraw those sections of Bill 160 which impact the current status of principals and vice-principals as members of the teachers' federations."

I affix my signature hereto.

Mr James J. Bradley (St Catharines): I have a petition that reads as follows:

"We, the undersigned citizens of Ontario, ask you, Mr Dave Johnson, Minister of Education, to withdraw Bill 160 on the grounds that it is flawed legislation that will (a) allow uncertified teachers to teach in the classroom, (b) cause a loss to kids of thousands of teachers and increase class sizes; (c) reduce teacher preparation time, which translates into less teachers and less time for students, and (d) allow the provincial government to set the education tax rate without permission for debate in the Legislature or at the local school board level."

I affix my signature as I'm in full agreement.

Mr Bud Wildman (Algoma): I have a petition addressed to the Legislative Assembly of Ontario which relates to the gutting of education and the taking of \$667 million out of public education by the passage of Bill 160 and the failure of the government to listen to parents, teachers, trustees and students, who have warned about irreparable damage coming from the passage of Bill 160. The damage will be to public education.

The petitioners, who include over 8,000 from Waterloo, Toronto, Ajax, many parts of the province, are petitioning the Legislative Assembly of Ontario to withdraw Bill 160. I support the petition and I have affixed my signature thereto.

COURT DECISION

Mr Frank Klees (York-Mackenzie): I'm pleased to present a petition which was delivered to me from the

Holland Marsh Christian Reform Church, and it reads as follows:

"Whereas the Ontario Court of Appeal has ruled that women have the lawful right to go topless in public; and

"Whereas the Liberal government of Canada has the power to change the Criminal Code to reinstate such public nudity as an offence;

"We, the undersigned, respectfully petition the government of Ontario to continue to urge the government of Canada to enact legislation to ban going topless in public places."

I affix my signature to it.

1540

EDUCATION REFORM

Mr Mike Colle (Oakwood): I have a petition from the students and teachers and parents of Vaughan Road academy in my constituency. It's a petition of non-confidence in the Harris government.

"Whereas the government of Ontario has not listened to the public on Bill 160; and

"Whereas the government of Ontario has chosen to overtly deceive the people of Ontario as to the true objectives of Bill 160; and

"Whereas we, the people, believe that no government has a mandate to act in isolation of the wishes of the electorate of this province, and we have lost confidence in the government;

"We, the undersigned electors of Ontario, petition the Lieutenant Governor to dissolve the Legislature and call a general election forthwith."

I'll affix my name to this petition from the citizens and parents of Vaughan Road academy.

CHIROPRACTIC HEALTH CARE

Mrs Marion Boyd (London Centre): I have a petition to the Ontario Legislature:

"Whereas the Ministry of Health has recently strengthened its reputation as the Ministry of Medicine through its \$1.7-billion three-year agreement with the Ontario Medical Association; and

"Whereas the Mike Harris government is restricting access to alternative cost-saving treatments for patients of the province; and

"Whereas two recent reports commissioned by the Ministry of Health called for increased OHIP funding to improve patient access to chiropractic services on the grounds of safety, effectiveness and cost-effectiveness; and

"Whereas over one million Ontario adults now use chiropractic services annually, increasingly those with higher incomes, because of the cost barrier caused by government underfunding; and

"Whereas the Mike Harris government has shown blatant disregard for the needs of the citizens of Ontario in restricting funding for chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to recognize the contribution made by chiropractors to the good health of the people of Ontario, to recognize the taxpayer dollars saved by the use of low-cost preventive care such as that provided by chiropractors and to recognize that to restrict funding for chiropractic health care only serves to limit access to a needed health care service."

I am pleased to affix my signature to over 1,500 signatures.

ABORTION

Mr Bob Wood (London South): I have a petition signed by 198 people:

"Whereas the Ontario health system is overburdened and unnecessary spending must be cut; and

"Whereas pregnancy is not a disease, injury or illness and abortions are not therapeutic procedures; and

"Whereas the vast majority of abortions are done for reasons of convenience or finance; and

"Whereas the province has exclusive authority to determine what service will be insured; and

"Whereas the Canada Health Act does not require funding for elective procedures; and

"Whereas there is mounting evidence that abortion is in fact hazardous to women's health; and

"Whereas Ontario taxpayers funded over 45,000 abortions in 1993 at an estimated cost of \$25 million;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to cease from providing any taxpayers' dollars for performing of abortions."

EDUCATION REFORM

Mr John Gerretsen (Kingston and The Islands): I have a petition that was provided to me by Judi Cova of James R. Henderson Public School in the Kingston area. It states as follows:

"We, the undersigned concerned parents and citizens of the province of Ontario, wish to let the Ontario government know that we agree that Bill 160, as presently drafted, should not be passed and that further consultation, with input from professionals and others concerned with the education system — that is to say, school boards, teachers and parents — must be obtained before the government proceeds with any further changes to Ontario's public education system."

It is signed by 21 individuals. I affix my signature to it as well, as I'm in total agreement with it.

PAY EQUITY

The Acting Speaker (Mr Gilles E. Morin): The member for Durham East. I'm sorry. The member for —
Interjections.

The Acting Speaker: No need to shout. The member for Sault Ste Marie.

Mr Tony Martin (Sault Ste Marie): We're never sure over here in the third party whether we're heard or not, whether we're actually going to get an opportunity to present some of our stuff.

The Acting Speaker: Read your petition, please.

Mr Martin: Thank you very much. I present to the House this afternoon a petition from literally over 3,500 people in Sault Ste Marie who are really concerned about the situation the Red Cross homemakers face in the province at the moment, perpetuated by the initiatives of this government. It goes like this:

"Whereas the current pay equity legislation affects Red Cross differently than any other provider of homemaker services in Ontario and makes it impossible for the Canadian Red Cross Society to compete on a level playing field; and

"Whereas without a resolution, the Canadian Red Cross Society will be forced to increase wages and benefits" — imagine: forced to increase wages and benefits — "already the highest in the industry, by approximately 45% January 1998. The program cannot afford this increase" — this is a group arguing not to have an increase, because of the Harris agenda;

"Whereas Red Cross provides 80% of the service in rural communities, and in 29 communities Red Cross is the only service provider; and

"Whereas clients in many communities will be left to cope on their own and some 6,000 homemakers and 400 office staff, most of them women, will lose their jobs;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We are very concerned about the Red Cross pay equity issue. We are asking the three party leaders to put people before politics and come together in a non-partisan effort to resolve the homemakers' services pay equity problem."

I might add, we're still waiting for an invitation from the government to attend a meeting —

The Acting Speaker: Petitions, no speech.

Mr Martin: I sign this petition about this issue along with my constituents and present it to the government, and hopefully they will take some serious action about it.

BEAR HUNTING

Mr Bert Johnson (Perth): I have a petition signed by 25 people from the St Marys area, given to me by Ian McKay.

"To the Parliament of Ontario:

"Whereas black bear populations in Ontario are healthy with between 75,000 and 100,000 animals and their numbers are stable or increasing in many areas of the province; and

"Whereas black bear hunting is enjoyed by over 20,000 hunters annually in Ontario and black bears are a well-managed renewable resource; and

"Whereas hunting regulations are based on sustained yield principles and all forms of hunting are needed to

optimize the socioeconomic benefits associated with hunting; and

"Whereas the value of the spring bear hunt to tourist operators in northern Ontario is \$30 million annually, generating about 500 person-years of employment; and

"Whereas animal rights activists have launched a campaign of misinformation and emotional rhetoric to ban bear hunting and to end our hunting heritage in Ontario, ignoring the enormous impact this would have on the people of Ontario;

"We, the undersigned, petition the Parliament of Ontario as follows:

"That the Ontario government protect our hunting heritage and continue to support all current forms of black bear hunting."

I'll sign it so it can be dealt with by this House.

ORDERS OF THE DAY

FAIRNESS FOR PARENTS AND EMPLOYEES ACT (TEACHERS' WITHDRAWAL OF SERVICES), 1997

LOI DE 1997 SUR LE TRAITEMENT ÉQUITABLE DES PARENTS ET DES EMPLOYÉS (RETRAIT DE SERVICES PAR LES ENSEIGNANTS)

Mr Flaherty moved second reading of the following bill:

Bill 161, An Act to provide fairness for parents and employees by providing remedies relating to the province-wide withdrawal of services by teachers between October 27 and November 7, 1997 and to make a complementary amendment to the Education Act / *Projet de loi 161, Loi favorisant le traitement équitable des parents et des employés en prévoyant des recours à la suite du retrait de services par les enseignants à l'échelle de la province entre le 27 octobre et le 7 novembre 1997 et apportant une modification complémentaire à la Loi sur l'éducation.*

Hon Jim Flaherty (Minister of Labour): Mr Speaker, I'll be sharing my time with the members for Simcoe Centre and Durham East.

I am pleased to present Bill 161, the Fairness for Parents and Employees Act, to the Legislature for second reading. This is important legislation that, if passed by the House, will provide fairness to the working families of Ontario who were adversely affected by the province-wide teachers' strike. It will provide some financial relief for the hardship experienced by parents and guardians during the teachers' strike. It would protect parents and guardians who missed work to care for their children during the strike from dismissal or discipline, and it would protect from reprisals by their unions those teachers who chose to stay in the classroom.

Bill 161 keeps a number of promises made by the government of Ontario to the people of Ontario.

On October 24, 1997, at the beginning of the two-week province-wide strike by the teachers, the government of Ontario made a promise to the parents of Ontario that we would provide some relief to them for the disruption to family life and to the education of children caused by the strike. Indeed my colleague the Minister of Education and Training made the clear and unequivocal commitment that the government would do several things: first of all, make payment of up to a maximum of \$40 per day per family — which for the 10-day duration of the strike would be \$400 maximum per family — to the parents of school-aged children to help alleviate the impact of the strike; second, to protect employees who had to care for their children during the strike; and third, to protect teachers who refused to participate in the strike from union reprisals. This legislation fulfils those promises. It is a demonstration to the people of Ontario of the commitment of this government to working families, to employees and to children.

1550

Also, at the outset of the strike I requested that the province's business and employer community show fairness and flexibility in assisting their employees to cope with the difficulties caused by the teachers' strike. In a letter that I wrote to all employers I noted that we all shared concerns about the negative impact of this unnecessary upheaval on our children and the inconveniences and hardships it would cause working parents and their families. I appealed to employers to help employees to adjust their work schedules or to allow them to work at home, or to take other measures such as unscheduled vacation days, to help employees deal with this unfortunate situation.

During the two weeks of the province-wide strike, the parents of this province and their children were indeed forced to take unexpected measures to deal with inconvenience and disruption. Additional burdens were placed on parents' shoulders because many teachers chose not to go to work. The children of this province were denied access to their schools and to the education they are fully entitled to, an education paid for by their hard-working parents. Parents were required by this disruption to stay at home with their children or to find other means of caring for them during school hours. Employers were required to work around the child care needs and responsibilities of their employees.

I am proud that both the business community and working parents and guardians demonstrated both flexibility and good sense during this difficult and disruptive time. That is why at this time we wish to help alleviate the impact of the strike on parents and guardians of school-aged children and also to protect from reprisals the employees of this province and those teachers who honoured their agreements and went to work in the classroom.

Our proposed legislation deals with each of these promises in three sections. Bill 161, the Fairness for Parents and Employees Act, would first of all provide for a payment of up to \$40 per family for each day that an eligible child was unable to attend school because of the

strike. This means a maximum of \$400 for families whose children could not go to school for the full 10-day period of the strike. I emphasize that it is a per family figure, regardless of the number of eligible children in the particular family.

The payment would also apply if children were unable to attend school because transportation — for example, their school buses — was not available; if special education programs or services for special needs children were not available. The payment would also apply if children did not attend school —

Mrs Marion Boyd (London Centre): On a point of order, Mr Speaker: I think we should have a quorum when the minister is introducing legislation that he feels is so important.

The Acting Speaker (Mr Gilles E. Morin): Would you please check if we have a quorum?

Clerk Assistant (Ms Deborah Deller): A quorum is present, Speaker.

The Acting Speaker: Minister.

Hon Mr Flaherty: The payment would also apply if special education programs or services for special needs children were not available. The payment would also apply if children did not attend school because, in the parents' opinion — and I emphasize that it is the opinion of the parents that matters — they would not have been safely supervised at a school or school-based child care centre or nursery school. The payment is available to affected parents and guardians including, for example, those mothers and fathers who would normally stay at home, stay-at-home moms and dads; those who had to enlist the help of relatives such as grandparents; parents who are themselves students in colleges or enrolled in training courses but were forced to miss classes during the strike in order to look after their children.

For the purposes of this legislation, "eligible child" refers to school children 13 years of age or younger or children in child care facilities or day nurseries located in schools that were closed due to the teachers' strike or special needs students in secondary schools. The money for these payments would come from the savings school boards have accumulated as a result of not having to pay striking teachers because the teachers did not go to work.

The school boards will have the following responsibilities: identifying the appropriate school days, determining if students were prevented from attending classes because of the strike and administering the payment to eligible households. Should Bill 161 be approved by the Legislature, parents and guardians will immediately be able to apply for payment through their children's schools and the school boards. There is a form to be provided and I have attempted to ensure that the form is a user-friendly, easy-to-complete, one-page form which parents will be able to complete and submit to their local school or to the local school board in order to obtain the payment.

The school boards will be responsible for ensuring that parents receive payment. This procedure will be straightforward and parents will receive payments as quickly as

possible. I am confident that school boards will deal with this task in an efficient and expeditious manner.

The provincial government will not require that receipts be submitted with application forms. A preliminary opinion from Revenue Canada suggests that these payments will not be taxable. However, it is wise for parents to keep their available receipts. There will be a final decision from Revenue Canada if and when this bill becomes law. Revenue Canada at that point would have the opportunity to review the bill in its final form.

There are two exceptions to eligibility for this payment: First of all, of course, teachers who participated in the strike, and the co-parents or co-guardians of their children are not eligible to apply; and second, the families of eligible children attending separate schools in York region may only apply for payment for the school days missed during the first week of the strike, that is, before November 3, because of the particular situation in York region where on November 3 teachers started a legal strike within the collective bargaining process. This payment will not be made for school days missed because of that legal strike.

The working families of Ontario suffered many unforeseen difficulties because of the two-week, province-wide strike by teachers. This payment acknowledges the additional burden which the working families of Ontario shouldered because of the teachers' strike.

The second major purpose of Bill 161 is to ensure that employees are protected from dismissal or discipline if they could not work because of additional child care responsibilities during the teachers' strike. The government believes that the employers of Ontario responded positively in helping their employees deal with the effects of the teachers' strike. This legislation is a way of offering protection, where needed, to the workers of Ontario. Under this legislation an employer is not required to pay salary or wages for work not performed because of the teachers' strike. However, employees are protected from discipline or dismissal because they were unable to carry out their duties during this disruptive strike.

1600

Employees in unionized workplaces will use the grievance procedure in their collective agreement to deal with improper dismissals or discipline during the strike. Employees who are not unionized and who feel they have been dismissed or disciplined improperly during the strike should file a complaint with the Ontario Labour Relations Board which will be empowered by this legislation to deal with this issue.

Thirdly, the final purpose of Bill 161 is to prohibit teachers' unions from initiating reprisals against any of their members who refused to break the law and who did not participate in the strike. Under this proposed legislation, no teachers' federation, nor any branch or affiliate, would be permitted to take reprisals against any member who did not support a teachers' union in preparing for the strike, or did not withdraw services or continue to withdraw their services, or crossed or attempted to cross a picket line established in connection with the strike, and/or

counselled other teachers against striking or assisted other teachers who did not strike.

In closing, Bill 161 is this government's formal acknowledgement of the difficulties experienced by the working families of Ontario because of the teachers' strike. We know that families pulled together during this disruption. Grandparents came to look after children, neighbours helped one another to look after the interests of children. Employers showed patience and understanding. This government is determined to protect the rights and interests of all those children, families and employees who were adversely affected by the teachers' strike. We are also determined to protect teachers who chose to stay in the classroom. We made specific promises and we are keeping them.

Bill 161 is important legislation that, if passed by this House, will provide fairness to Ontario families. It will provide some relief for the difficulties and expenses that many parents and guardians had to face because of the teachers' strike.

I urge all members to show their support for the working families of Ontario by fully supporting this legislation. By giving Bill 161 speedy passage we can help to alleviate the financial hardship of families adversely affected by the teachers' strike and at the same time protect the rights of employees and those teachers who chose to stay in the classroom. It is time to put this very difficult strike behind us. It is time to move forward with improving the quality of education received by the young people of Ontario.

Mr Joseph N. Tascona (Simcoe Centre): I'm certainly pleased to join the debate this afternoon on Bill 161. I think the title of the act speaks for what the government actions are about. The act says "to provide fairness for parents and employees by providing remedies relating to the province-wide withdrawal of services by teachers between October 27 and November 7, 1997."

We are living up to the promise we made to protect the interests of children and families disrupted by that illegal teachers' strike. I think it's important for the public to know, when we're dealing with this type of legislation, that it is an enabling piece of legislation in terms of the support that's going to be given to the families. The legislation provides that a maximum of \$40 per day would be paid to the entire family, regardless of the number of children. As indicated, receipts do not have to be submitted with an application for payment, but parents and guardians are encouraged to keep them with respect to their own income tax purposes.

The obligations of a board are very important. At this time when we are in the House it's very important for us to understand what the role of a school board is, because quite frankly as a member of the House I didn't know what their role was during the illegal strike. I thought they were there to protect the interests of the public and make sure their employees performed their services in a lawful manner.

Mr David Christopherson (Hamilton Centre): They backed the parents and teachers of the community, and the children, unlike you.

The Deputy Speaker (Ms Marilyn Churley): Member for Hamilton Centre.

Mr Tascona: The act is very clear with respect to the obligations of the school board for payments to parents and guardians. The act provides that there is a duty on behalf of a school board to pay, and I'll just read that section, "A board that receives a completed application submitted by the prescribed deadline shall pay the applicant the amount to which he or she is entitled under this section."

Let's make it perfectly clear that the school board will be obligated to make payment to an applicant under this act. I don't want there to be any confusion at my MPP office in terms of what the school board's obligations are. As an MPP, I'll certainly direct my constituents in terms of how they can best be helped. In terms of dealing with this obligation, what we have is that a payment would be available only to parents and guardians with school children 13 years of age or younger, children in child care facilities or day nurseries located in schools that were closed due to the teachers' actions, or special needs students in secondary schools.

As a promise that is certainly something the government is committed to. I think it's going to help a lot of families out there that were inconvenienced during the illegal strike. Parents or guardians, as I stated, would be able to apply for payments for any school day between October 27, 1997, and November 7, 1997, on which their children's school or school-based child care centre or nursery was closed, school bus transportation usually used by their children was unavailable, special education programs or services for their special needs children were not available, or in their opinion their children were unable to enter their school or school-based child care centre or nursery school, or were unlikely to be safely supervised there during the teachers' strike.

I think that's a fundamental commitment. I don't believe any parent with children, and I certainly am one of those, really appreciated their child's education being disrupted. For those of us who are in a position to have to pay for child care expenses, we appreciate that the government is taking a responsible position on this matter, unlike the school boards when they were dealing with this matter and chose not to act in the best interests of the public. So I would say that in terms of the payment aspect, that's certainly good news for parents and guardians.

The other aspect of the bill which I think is long overdue is in terms of dealing with the somewhat draconian and all-encompassing powers of unions, and teachers' unions in particular, when you're dealing with illegal strike activity. We have in the act, and I think have very specifically put in the act, prohibitions, prohibitions not only against teachers' unions but also against employers.

Section 4 of the act deals with the enforcement of prohibitions: "No employer or person acting on behalf of an employer shall dismiss or discipline an employee because the employee was, on any day during the period beginning on October 27 and ending on November 7, 1997, unable

to perform some or all of his or her duties" because of this illegal strike.

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The enforcement mechanism for that if you're a unionized employee is to deal with it under the collective agreement. If there is no collective agreement because you happen to be in the position that you're a non-union employee, you can make a complaint to the labour relations board if in fact such activity by an employer was taken against you for that type of activity.

With respect to teachers' unions, section 5 of the act provides a mechanism for enforcement under the Labour Relations Act, so a complaint would have to be made under the Labour Relations Act. It's very clear and I think it should be set out very clearly in terms of what action the government is taking: "A teachers' union shall not suspend, expel or penalize a teacher or otherwise act in a manner that is arbitrary, discriminatory or in bad faith in the representation of a teacher" because the teacher engaged in a number of activities. I'll only deal with a couple of them, but it strikes at the heart of what I would consider the right to work of any individual in this province.

One of them is that they "did not support a teachers' union in preparing for the province-wide withdrawal of services by teachers"; they "opposed proposals that teachers withdraw their services," or in fact the teacher "did not withdraw his or her services or did not continue his or her withdrawal of services," or "crossed or attempted to cross a picket line" established in connection with the province-wide strike, or "counselled another teacher against withdrawing his or her services or assisted another teacher who continued to provide services."

What we're dealing with here is a prohibition that deals with illegal strike activity on behalf of the teachers' unions. Those types of protections are currently found in the Labour Relations Act, which deals specifically with illegal strike activity; in other words, protecting a worker against actions being taken against them by their trade union for engaging in an activity that the union doesn't believe is in the interests of the union, even though they have the right to work.

To be specific, the Labour Relations Act at the present time does not cover teachers' unions. That's why this type of provision has to be put in Bill 161 to ensure that teachers' unions don't take action against teachers who actually wanted to work or disagreed with their beliefs with respect to this illegal strike.

I would pose the question in terms of dealing with this, because we're dealing with a fundamental issue here of the right to work and also of the right to dissent and free expression: It may be that we should be looking at applying this type of measure not only to illegal strike activity, protecting workers, but also applying it to all unions where we're involved in a legal strike, and I emphasize that: a legal strike. There should be such things as workplace democracy and there should also be union democracy. I would say that we should also add employee democracy in terms of their rights not only within a work-

place dealing with their employer but also dealing with their union. They should have democratic rights in dealing with their own union.

In terms of dealing with this, unions, as most of the members here know — and if they don't, I'll refresh their memories, especially the opposition parties — were created by statute under the Labour Relations Act or the School Boards and Teachers Collective Negotiations Act, and I would submit that their actions should be subject to legislative protection for individual employees.

There are protections with respect to unions dealing with their negotiations, dealing with their grievances in terms of a duty of fair representation, but what we have here is a situation where there's an illegal strike and the union can take measures under its own constitution to punish a member for having crossed a picket line where they're actually supposed to be at work or not agreeing with their beliefs.

I think that looks at a very important aspect of a right to work. Why shouldn't a worker be able to work in an illegal strike or a legal strike position? I think that's a fundamental right. It also should be a fundamental right to not agree with their union: the right of dissent, the right of free expression, which is currently not protected for legal strike activity under the Labour Relations Act or the School Boards and Teachers Collective Negotiations Act.

Currently, trade unions' actions are taken internally and they're treated like a private club. The courts can't interfere and the Legislature can't interfere when they take actions against their members where you as a normal human being would say: "Why should you be able to do that against someone who is basically expressing their opinion and wants to go to work? Why can't they cross a picket line if they feel they want to work?"

Since unions are currently treated like a private club, I would think that we should be looking at making them subject to legislative or judicial scrutiny unless we're dealing with actions that would be breaching the law with respect to their activity. Obviously the government wouldn't want to protect actions contrary to the law.

I would put this in the context of this particular strike. In a legal strike situation and also an unlawful strike, which we just went through, where the employer and the union are the combatants, what you find is you have individual employees who are essentially forgotten about in the legislation. They're actually forgotten about in terms of their rights. They're often the meat in the sandwich. They don't have the right to voice their dissent, freedom of expression, because they may be penalized under the union constitution. They don't have the right to cross the line because the union's going to get even with them. That's the full thrust of this prohibition that we're dealing with in an illegal strike.

I think this is a fundamental principle that I would support, the right to work in this province, the right to have free expression, and I don't think unions should be immune from that kind of right. I think most people here who are reasonable and unbiased in their views —

Mr Christopherson: Hello, South Carolina, Alabama.

The Deputy Speaker: Member for Hamilton Centre, come to order, please.

Mr Tascona: — unlike the current member who's speaking up here right now, would support that as a reasonable citizen of this province.

One other area I'd like to speak about which may be important for certain teachers and obviously for citizens in this province is that there were teachers who crossed the picket line. There were teachers who did attend schools and attempt to provide their services. Certainly if the illegal strike had not ended after two weeks, we might have seen a flood of teachers cross the line.

What I think is important here is that you're dealing with a structure right now that perhaps isn't totally fair to an individual teacher, because under the current structure we have principals and vice-principals who are part of the teachers' union and are also charged under the Education Act to run a school. As you know, during the illegal strike they chose not to cross the picket line. In fact they didn't fulfil their responsibilities under the Education Act to provide teaching in a school, this despite the fact that they're in charge of the site-based management for the school. They have management control in terms of dealing with the teachers who are under them.

I think that's something the minister should consider, because there is that fundamental conflict between the principal and the vice-principal being a member of the teachers' union and at the same time being in charge of running a school. At the same time, they are aware that there were teachers who are under their charge who did cross the lines. I'm quite concerned that their rights are protected, because the act only deals with teachers' unions directly taking action against them. I would think there should be, as a consideration, reprisal protection, which is provided currently under the Employment Standards Act, the Labour Relations Act and the Human Rights Code, for individuals who exercise their rights under those particular statutes not to have action taken against them because they have exercised their rights under their statute. Teachers have a right to go to work, certainly to charge their duties, during a school year, especially when they're under a collective agreement and are not expected to set up picket lines and are expected to go into school.

1620

I think there's something fundamental here because of the principals' and vice-principals' particular position, that they not be in a position to basically take action, dismiss or threaten to dismiss an employee, or to discipline, impose a penalty, or intimidate or coerce a teacher who crossed that picket line. That's something that's not in the current bill, but that's something I could see should be given serious consideration, because teachers who crossed the picket line exercised their fundamental right and were acting in accordance with the law.

When we deal with prohibitions here, I think we're dealing with prohibitions against employers who take action against teachers or parents or guardians who were attempting to get to work because of this strike and had child care responsibilities. There are protections here

against teachers' unions with respect to taking action against teachers who crossed the picket line or didn't agree with their views. It may be something we should visit in terms of principals and vice-principals if that's what's happening with respect to this movement for solidarity and in terms of interference in the classroom, in terms of how teachers are being allowed to conduct their fundamental job, which is to teach other students.

I wouldn't want to see that interfered with because we have an ongoing issue with respect to a piece of legislation and something that will hopefully have to be resolved in the classroom in terms of teachers getting back to their curriculum and teaching that.

In summary, I think the government has fulfilled their promise with respect to how they would take certain action with respect to the illegal teachers' strike. They provided the fundamental protections for employees with respect to their employers, the fundamental protection for teachers with respect to their teachers' union, and they may want to revisit the school situation in terms of ensuring that teachers are permitted, by their right, to teach within the classroom and not be interfered with by individuals who are in a position of authority. They should be allowed to conduct themselves as teachers and teach the core curriculum they're charged to do.

Mr John O'Toole (Durham East): It's a pleasure to rise today in support of Bill 161. I just stress at the opening that the Minister of Labour, the Honourable Jim Flaherty, I am pleased to say, is one of my colleagues from Durham — the five blue jays — and I have a great deal of respect for his expertise and dedication. This legislation, his first piece of legislation, is very fine work.

First of all, during the interruption of school service we had many calls — I'm sure all members from all parties had many calls — from parents really very concerned. The government responded rather quickly to all the constituents in Ontario, especially those who were placed in a very difficult situation — without much participation, I might add — and the result was a commitment by this government to deliver. As you know, this government delivers on its promises.

For the sake of trying to be helpful today, I want to talk about Bill 161, which is this legislation entitled "An Act to provide fairness for parents and employees by providing remedies relating to the province-wide withdrawal of services by teachers between October 27 and November 7, 1997 and to make a complementary amendment to the Education Act."

For the sake of those who may be watching today, to be helpful and to educate, I'm only going to focus on one of the three sections of the bill. I'm going to focus on the section "Payments to Parents and Guardians" adversely affected by the teachers' strike.

Mr Tascona from Simcoe Centre covered very clearly many of the labour relations issues, but for a bit of levity here I'm going to introduce the very first aspect of the bill and I'm going to read it into the record, because I think it's one of the controversial pieces of language that people are having trouble with. It says:

"This act applies with respect to schools, and child care facilities and day nurseries located on the premises of schools, that were affected by a province-wide withdrawal of services by teachers from October 27 to November 7, 1997."

Then it goes on, and it starts like all bills, and I'm going to draw this to your attention: "Her Majesty, by and with the advice and consent of the Legislative Assembly of the province of Ontario, enacts as follows."

All of us know that legislation usually uses that kind of language where the Lieutenant Governor in Council allows certain things to happen. That's the language that many people called me on, on Bill 160, that was problematic. Just to share with them: It's not problematic. That's the tradition of this great province.

The eligibility portion is very important for the viewer today to hear: "A child is an eligible child for the purposes of this section if, on October 27, 1997, (a) he or she was 13 years of age or less and was enrolled in a school, (b) he or she was enrolled in school and was receiving special education programs or services because he or she had been identified as an exceptional pupil (but not solely as a gifted pupil) or because school staff considered that he or she had special needs...."

"Entitlement to payment

"A parent or guardian of one or more eligible children is entitled to the payment determined under this section for each school day during the period beginning on October 27 and ending on November 7, 1997 on which an eligible child ordinarily resided with the parent or guardian...."

It's very important to recognize that to make this less confusing and less cumbersome it's clear that the parents would normally, if they have receipts, retain them. If they don't, still the purpose is to present their case, their application — it's very clear they must have an application — to the board. There will be prescribed forms and there will be prescribed deadlines for filing those forms, and only one claim per family. There's a maximum claim per family of \$40 over a 10-day duration.

It's a commitment of this government to try and help those families who had to make alternative arrangements for a situation which they did not cause. I think it's an important commitment of this government and it's not very prescriptive and it's not restrictive. It includes all people with children under 13 or children with special needs.

If you read through the bill you're going to find that there's another section here which is similar to the language in Bill 160. Some people have difficulty with the legalese, if you will, of some of the legislation. I'm reading here from Bill 161, subsection 6(9): "A decision, determination or order of the board is final and binding for all purposes."

I suggest to you that the whole sum of time — and there are exemptions. The minister has addressed those for boards that were in a legal strike position. It's very simple: If you were affected and you are a parent and your child is under 13, you are eligible. It's that simple. If you want to call my constituency office, we will be there to

help you, I assure you. All members are there to help and to listen and to serve.

It's funny, as people are talking, it's a very important issue of the day. I'm holding here a very favourite colour — it's not a protest, Madam Speaker, but it is part of the literature that's been sent home as part of the schools' activity to send information into the home via the children. This is one of those that I'm holding up here. I had many calls today that that is repulsive to many parents, that the children are being used as little mules to get this information into the home.

I want to just say that, for instance, if they wanted to be helpful, they could easily give these applications to the children to bring home. That would be productive and effective.

Mr Bud Wildman (Algoma): I thought you said you didn't want them to be used as mules.

Mr O'Toole: I'm saying I'd prefer if they'd use something of value. I wanted for the record to also recognize a number of the school community councils that really have asked me this question, "How's this going to work?" More important, Michelle Bolson from Dr Ross Tilley school in —

Interjection.

Mr O'Toole: Yes, Dr Ross Tilley was a famous burn surgeon, if you wish to ask, and he was from Bowmanville.

The article that Mr Bradley refers to is one point of view on the bill, but I would encourage him to read a number of points of view on the bill.

There are other members of the parent council community I would like to recognize who have worked very hard. They're caught in the middle of this. They are parents, many of them with children who indeed were under their charge for 10 days in a non-planned and non-scheduled way. One is Cathy Abraham, whom I have spoken with many times, from Newcastle public school, and I know she will be relieved to find out that Bill 161 and this government are there to help them.

1630

In my concluding remarks, I just want to suggest that I have also had a letter from people who are suggesting: "Is this fair? How come all taxpayers pay for education?" All taxpayers pay for education. I have had a couple of letters and this is just one. One of my constituents objects to the payment of the \$40 per day per family for days of school missed. He feels that all supporters should be paid for the education. They paid for education through their taxes. They didn't pay for babysitting.

So you see just how much dislocation this had caused in our communities. This person I am speaking of is a senior citizen on a fixed income. They have been crying for years that their school taxes have been going up. They have had no say in it, virtually no say at all, and yet here's a case where the money wasn't spent for the purpose of the intended tax.

Mr Christopherson: Now they totally get no say.

The Deputy Speaker: Member for Hamilton Centre.

Mr Wildman: Could a stay-home parent get this?

The Deputy Speaker: Member for Algoma.

Mr O'Toole: There is a very clear case where there isn't uniform conformity with the demand that this \$40 should be paid. Indeed, that case could probably be made to every taxpayer in Ontario because we all pay for public education, either on our municipal tax or at the general provincial grant level.

Mr Christopherson: That's right. You don't give a receipt for tax.

The Deputy Speaker: Member for Hamilton Centre, come to order.

Mr O'Toole: That money is going to help educate our children and I think this bill is going to help relieve the problem that the disruption caused to many families in Ontario. Thank you, Madam Speaker, I am pleased to make my comments.

The Deputy Speaker: Further debate? The member for Peterborough.

Mr R. Gary Stewart (Peterborough): I am pleased to rise today to also debate and talk about this particular bill. I would like to do it basically from the perspective of the grandparent situation because I have four grandkids who were very much inconvenienced because of this situation.

It was interesting. I happened to speak to a school group the other day and a couple of the students had a question of me. I said rather than referring it to me, why not refer it to the people who were representing the union? The question was: "How, during this two-week strike, did it help my education?" An interesting comment from students, because we keep hearing from the other side about how terrible this is. But an interesting comment: "How did it make education in this province any better?"

Regarding these dollars that are going to go to the people of this province who cared about the children, I'd suggest to you that parents were inconvenienced, grandparents were inconvenienced, they were put in major financial difficulty, they were put under stress and strain to find out places for their children to be looked after in the manner in which they wanted them to be.

I believe the entire family was involved and I believe when families are inconvenienced like this and families are under stress like this for the time period that it was, that we as a province have to look at ways of somehow compensating those folks. This I believe is a payment for inconvenience and I suggest to you that is one of the things that concerned me very much.

I believe the children, the students under 13, were put in a very vulnerable situation, in a situation where, was caring really involved? I have difficulty with that. I believe the children were used as pawns to promote an illegal activity, and I have great difficulty with that. I would not have had the great problem with it if all the things had been legal, but they weren't. It was an illegal strike, it was civil disobedience, and I believe if there is one thing we should do, it is to in some way compensate those who have had financial difficulty.

I would also like to say a very sincere thank you. I can't for Ontario, but I can to the organizations in my

community — YWCA, YMCA, the church groups, many of them — who opened their doors to make sure that a number of these children were looked after, and looked after well. I truly believe these folks need to be compensated. Many of them are organizations. I hear comments about receipts. Most of those organizations are company-run operations. They are businesses that I can assure you will be giving receipts, because the revenue from this will be going into their organizations.

There are a couple of other speakers who would like to make comments on this, and I would like to pass some additional time over to the member for Etobicoke-Rexdale.

Mr James J. Bradley (St Catharines): This will be good.

Mr John Hastings (Etobicoke-Rexdale): Yes, it will be good, to the member for St Catharines. I'm trying to anticipate his particular view of this world on this bill. I would surmise his perception would be that it would be completely unnecessary.

I'm sure we're going to hear from members opposite that there wasn't any disruption. It was sort of a fantasy that occurred for those two weeks; there was no inconvenience to any of the families who had children in school, whatever their age up to 13, even teenagers. This thing was really like a minor blip as families go through 1997. "It was a political protest" has been the major perception by folks from the other side, and it's just one of those things where you have a breakdown in public services in order to satisfy the specific goals of those groups that went out from the teacher federations. So we're going to hear that there was actually no impact whatsoever, no effect at all, and that if there was a cause for it, the cause has to be the government of Ontario, that nobody else is responsible for this situation. Those will be three of the major theses we're going to hear from across the way.

We're going to also hear that the \$40 is purely a bribe, that from their perception it's a mockery of real need and real inconvenience, because obviously they had hardly any calls at their constituency offices regarding the inconvenience — real inconvenience, not perceived. In my own particular riding, I had several calls from single mothers, from families who didn't know where they were going to take their kids. Some of them took their kids to work for at least three of those 10 days, but that's not an inconvenience, especially to the members from the third party.

What concerns me about this bill is its implementation by the school boards. I'm hopeful that the Ministry of Labour and the Ministry of Education will ensure that the application forms are clear, fairly simple and can be filled out in a very minimal amount of time, and that when the members of any community throughout Ontario approach a respective school board for an application, they will be readily accessible by whatever means, if not in person then through the Internet.

I'm more than happy, and I'm sure the Minister of Labour will ensure that these forms are available at members' constituency offices for those folks who want to pick them up there. I'm sure members of the two parties oppo-

site certainly wouldn't want to participate in any kind of customer service to that extent, because they will be arguing — the scare we often hear — that this is probably going to be the beginning of a voucher system. So we'll be sure that they will not be participating in this particular exercise from a practical customer convenience viewpoint, because they believe (a) that there wasn't any interruption at all, and (b) that the interruption was minor, if that, and that families could make out on their own, that there was no problem really.

1640

That's going to be their contention, and I'd like to hear how they can argue in practical and realistic terms that there was no interruption at all, that it had no inconvenience or adverse impact on one family in Ontario, regardless of whether it was nuclear or there were four kids or four grandchildren involved.

Interjections.

Mr Hastings: We don't want to hear about that.

The other thing is, they're certainly going to argue that this is not an entitlement that is argued in the bill, that you're going to have to have income tax receipts, so I'll be expecting to hear from them that they have a letter of interpretation from Revenue Canada that they can read into the record that in point of fact would buttress and support their argument that this is a receipt-based approach, not an entitlement as has been deemed in the law by this particular bill. They ought to be able to produce very readily that particular piece of evidence to justify that it is a receipt.

Finally, let me conclude by stating that this bill is not an expense whatsoever, unless you accept in your mind the continuing fantasy or perpetual denial that really nothing occurred for those two weeks, that it was business as usual in education. If you look at the other side of the coin, that certainly isn't the reality confirmed by questions by the members opposite on Bill 160 in this House or in terms of the other events we've seen on the outside in reports in the media, so something must have happened during those weeks of October 27 through to November 7. This bill regarding the payment of \$40 per child per household is a direct response and reflection of what actually happened out there. If they start to argue that, it will be interesting to see what kind of philosophical garb they can put around it or what kind of science fiction context, I guess, they can put around it. It's going to be absolutely fascinating to hear that.

I'm sure they'll also be arguing that this is an attack on families. I suppose we'll hear that argument as well in a new, stretched form, or that they don't recognize families, or whatever the stretch of imagination. I anticipate with considerable enthusiasm how they are going to argue this one in terms of whom we're attacking now. I suppose some of them will argue that the payment is an attack on families.

I guess what we also need to recognize —

Interruption.

The Deputy Speaker: Sir, you will have to leave the gallery. Stop the clock, please. Five-minute recess.

The House recessed from 1645 to 1650.

The Speaker (Hon Chris Stockwell): Clear both galleries, please. Both galleries must be cleared.

Member for Etobicoke-Rexdale.

Mr Hastings: I would simply like to reiterate the fundamental point of Bill 161, that it will serve in helping families who endured considerable inconvenience in trying to find alternative child care and other alternative arrangements for their children during these two weeks, the last week of October and the first week of November. It is a good piece of legislation from that viewpoint and it goes some way in recognizing a financial need of those working families particularly which had to pay for the costs of child care during this particular time. I think the bill serves that principle and I hope all the families which were adversely affected take advantage of this particularly positive piece of legislation.

Finally, I conclude that it will be interesting to hear from members opposite as to what sensible alternatives they would have in terms of dealing with this situation if they recognize that there was inconvenience, that adverse situations developed out of those two weeks by the withdrawal of services by teachers in the five different teacher federations. Therefore, I strongly advocate that we get on with the passing of this bill in its present form.

The Acting Speaker (Mr Bert Johnson): Comments and questions?

Mr Bradley: My first comment is on the contention by the Minister of Labour that somehow there would be a fear of reprisals taking place when in fact my understanding is that all the teachers' federations said there would be no reprisals against anyone who did not participate in the province-wide protest which took place at schools across the province.

The only reprisals that we have seen to this point in time are the reprisals initiated by the Harris government through the auspices of the Minister of Education, and that is after John Snobelen the previous Minister of Education proudly said in the House that he had no intention of including principals and vice-principals in the removal of people from the federation membership. In other words, they were to retain their memberships in the various affiliates of the teachers' federation. The government turned around after the province-wide protest and removed the principals and the vice-principals from the membership in the federation.

Anybody who understands the collegiality and the teamwork that takes place within education would understand why this is an unwise move and why it smacks of reprisals and vindictiveness as opposed to a decision being made. I applauded former Minister of Education Mr Snobelen on a few occasions. One of those occasions was when he announced that they would not be removing principals and vice-principals from the federations. Some of the other things I might disagree with, but that was one with which I agreed. I thought that was the government's position. Indeed, many of the government members were purveying that as being a very positive aspect of Bill 160. The only reprisals we've seen as a result of the province-

wide protest have been initiated by the backroom boys in the Harris government who insist that we punish principals and vice-principals.

Mr Christopherson: For the benefit of people who are watching at home, I think maybe a bit of a comment on what just took place is in order. The fact is, I'm responding to what took place in this place, Speaker. In response to the comments of government members, citizens in the gallery had placed tape over their mouths symbolically to indicate their displeasure and distaste for this government's form of anti-democracy. The reality is that this government hasn't listened to anyone, including the people who have, through faxes and phone calls and letters and protests, said that they want more debate on Bill 160; at the very least they want more debate.

What do we see on our TV now as a result of the government's actions, all the things that this government is defending here today? We don't see a return to the 1950s with June and Ward Cleaver, which is what they want; we've got a return to the 1960s where we've got a growing momentum of civil disobedience. No matter how hard the government members try to paint those people as being anarchists and terrorists, the same way you want to make every democratically elected union leader some kind of horrible union boss, the reality is these are law-abiding citizens who feel that in response to your extremism they have no choice but to take the actions they're taking.

You have every opportunity, if you really believe in democracy, to give Bill 160 its hearing, and Bill 161 for that matter. But you have no interest in that. You have greater interest in taking the money out of our education system to pay for your tax cuts. The Minister of Labour stood there a few minutes ago and said it was awful that kids were being used in this debate between the government and teachers. The reality is that you're using kids by taking money out of their education system to pay for your tax cuts, for the millions of dollars that your friends are getting.

Mr Gerry Phillips (Scarborough-Agincourt): Let's recognize what the government's doing. This is their latest in many fights. First they took on people on social assistance. That was an easy win for you. They were vulnerable, they had no voice and you beat them up. The next was our public sector unions and you had a good fight there. You took them on and you beat them up. The hospital workers: You've taken them on. This is a fight with the teachers. I think it's fair to say, on any objective analysis, that I've never seen Ontario as divided as it is right now. I've never seen society pitted one against another as it is now.

I was chairman of a school board. I was on a school board for 11 years. I've never seen our teachers as concerned as they are about the quality of education and the future of education in Ontario.

1700

Bill 161 is another example of the constant fight you are in. My colleague from St Catharines mentioned it. A major part of this bill is "to prevent reprisals." Let me just say this: Whether you like it or not, the teachers' organi-

zations are by nature perhaps among the most democratic organizations you can find. Each school has a teacher representative and they have a debate almost daily on the role of their federation.

Mr David Tilson (Dufferin-Peel): They didn't get a vote on the strike, Gerry.

Mr Phillips: The member is saying they didn't have a vote on the strike. The teachers elect the people to represent them. It is a democratic society in the teachers' organization. What we've got in Bill 160 —

The Acting Speaker: The clock isn't showing, but your time has expired. Further comments and questions?

Mr Christopherson: On a point of order, Speaker: Two days I was denied the five minutes that my colleague from Fort York left me to speak because we went by that clock up there which was wrong, and the Speaker ruled we could only go by the official clock. That clock at this moment is not working and not indicating, so I would like to know under what authority you have deemed Mr Phillips's time has been used up. I would suggest you either adjourn the House and fix the clock or recognize Mr Phillips still has the floor.

The Acting Speaker: That is a point of order. The authority I was using was my own watch. We'll do what we can to get the clock fixed.

Mr Christopherson: Or adjourn the House.

The Acting Speaker: I'll take that as a suggestion. I only need it once.

Mr Phillips: On a point of order, Mr Speaker: I was attempting to determine how much time I had left. I gather you were using your own watch. It would have been helpful to me in speaking if you would have indicated to me that the clock wasn't working but that you were keeping time. I just assumed you would begin the clock —

The Acting Speaker: I want to be completely fair and reasonable about this. I'll let you finish out the clock that is up there now.

Mr Phillips: I appreciate the fairness of that, Mr Speaker. I wasn't trying to be difficult but I was waiting for the clock to begin.

I wanted to say with that the bill we are dealing with, which is Bill 161 but it flows out of Bill 160, the government has given itself the power to set taxes with no vote, nothing in the Legislature, all by regulation, and yet they are attacking the teachers' federation leadership saying, "That's not democratic." The federation leadership get elected on an annual basis. They have to get the support of the teachers in their organization. That is a democratic organization.

The bill you have put before us is perhaps one of the most undemocratic bills I've ever seen. Setting the budgets of every school board by regulation, never an approval: We will get no chance to approve any budget of a school board. Setting over half of the business property tax rate by regulation: Nobody will see that; no opportunity to debate it. Setting residential tax rates: no opportunity for any debate. It is essentially taking over the complete total control of education. It isn't going to be here in the Legislature; it is going to be the Minister of Education. It is

frankly absurd to suggest the federation leadership are undemocratic when in fact the most undemocratic bill we've ever seen is Bill 160.

Mr Tony Silipo (Dovercourt): We're debating Bill 161 here. We know it's being done very much not just on the heels of Bill 160, but is so tied into Bill 160, which takes away fundamental powers that exist now at the local school board level, that increases in an exorbitant way the powers the Minister of Education has to the point not only where the system will be highly centralized but to the point where any sense of local democracy will disappear from our school system.

That is on top of the real reason we know this government is doing that, which is to cut another \$700 million out of the system, which I recall members opposite denying in real surprise at the time we pointed that out when Bill 160 was being debated on second reading. I can just imagine how they must have reacted when the Premier had to finally admit that indeed the government was going to cut another \$700 million out of the school system.

What they're trying to do through this bill is to simply try to gain back some of the support they clearly have lost. I have to look no further than the way they have put this bill together. They tried to position it initially as being that this was a way to reimburse parents for legitimate costs they incurred. How could any of us be anything but supportive of that notion? Speaker, as you probably know, that's not what this bill does, because this bill not only requires no form of proof that people have incurred any of those expenses, it's not even a requirement that you've incurred any expenses. As long as you had a child in the system in a school that was closed, you're entitled to receive up to \$400. All it is is a compensation fund of some kind.

I say to people, from a government that's supposed to be fiscally prudent, to simply be giving money out, whether or not people incurred those expenses, is at the very least highly irresponsible. I wonder how members across are going to justify that kind of action. It's one thing to reimburse people; it's another to just throw money away.

The Acting Speaker: The member for Etobicoke-Rexdale has two minutes to respond.

Mr Hastings: I'd finally like to wrap up the discussion on Bill 160 and Bill 161 by pointing out certain things for the record that need to be put on the record, i.e. the great social con act of the previous regime extracted at least \$1 billion out of the education system. Where were the teachers when it came to that particular piece of legislation, which didn't get one nanosecond of consultation time in this Legislature?

When we talk about, as the member for Dovercourt does, the removal of powers, the only fundamental power that is being removed from local school boards deals with the taxation power; that is the only power that is being removed under Bill 160. Of course they want to create the aura that the world has been changed upside down. If that's true, what they both should have done when they were in government, over here, was completely get rid of

the Education Act that had been built up over the last 40 years, with all the statutory authority in there.

In particular, responding to the issue we've had in question period about the minister's powers and the financial competence of school boards, in point of fact there has only been one school board in about 70 years that has ever been taken over by the Minister of Education, and I believe that was in the Ottawa-Carleton region. There is another school board that could have been taken over, and if I looked at the record — I recall there was a supervisory sort of nature put on it by the Ministry of Education and Training — that was the York Region Roman Catholic Separate School Board when they ran a least two if not three years of deficits.

That's where the minister's powers could have been exercised by this government; it didn't occur. All the blathering we're hearing from across the way about that is completely factually inaccurate and they're usually at the old fearmongering.

The Acting Speaker: Further debate?

Mr Phillips: Mr Speaker, I want to acknowledge I'll be sharing the time with the member for St Catharines.

I would have thought the government would be attempting to begin to pull people together in the education community. As I said earlier in my remarks, I have never seen the education community as worried and concerned about the future of education as they are now. I don't think Mike Harris could have done more damage to the educational system if he had planned it for 10 years. The commercials that he ran attacking the educational system have been, in my opinion, inaccurate. As a matter of fact, I was just looking today, at a letter from Deputy Minister of Education to the North York school board because they won an international award of excellence. The letter from the deputy minister referred to, and I'm paraphrasing here, the finest-quality educational system in North America. They won four out of five awards for international excellence.

1710

Mr Bradley: Does it say that in the ads?

Mr Phillips: It doesn't say that in the ads, as my colleague said, but the Deputy Minister of Education in a letter to the North York school board was praising the quality of education.

Mike Harris, when he went to Europe, praised the quality of education. He said that a huge competitive advantage of doing business in Ontario is that we have an education system second to none. But then, when it suits his political agenda to gut spending on our public education system, he starts a program to denigrate our educational system and to demoralize our teaching profession.

All of us have seen those ads and seen the damage they have done to the morale of our teaching staff. Education is a fairly straightforward endeavour. It is getting a motivated, well-trained, professional teacher in front of a group of students in a safe, warm, caring environment. To undermine the most important aspect of education — the single most important aspect of education is the teacher. All of us, surely, believe that.

What we have here is a government that has decided that they have to attack the system; they have to create a crisis; they have to undermine the system so that they can have the authority, frankly, to cut money out of the system. I was interested to see that once again I think it was the secretary of cabinet, the senior bureaucrat, indicated that the document that the Deputy Minister of Education prepared saying that it was going to be her goal to cut \$666 million out was an accurate document. That was in fact what the government told the deputy to do. Those were the instructions from the political masters and that's what she was instructed to do.

I would ask the Conservative back bench: Get the Minister of Education to acknowledge that was the deputy minister's contract, that was the instruction he gave her to cut \$666 million dollars out of education. They will not deny that. That was established as a matter of policy by Mike Harris. That was directed to the Deputy Minister of Education and she was instructed to do that.

The reason I raise that is because for weeks we asked the Premier: "What is your real objective here? Is it to cut money out of education?" "No, it's not. I'm not going to cut anything. I might add money to it." Then when he was exposed and the document became public — and it is a document. It's not a draft document. It is what the deputy had agreed to do as a result of the political masters directing her. That single revelation completely undermined Mike Harris' credibility on the education issue. He was saying: "Oh no, we're not going cut money. This is all about quality of education."

I would also say that in terms of credibility on this issue, the education bill does something I think is simply wrong. It gives Mike Harris the authority to set the tax rate by the stroke of a pen. My friends in the business community cannot believe they will not even have a chance to have an input into the mill rate that he's going to set on their property; it'll just be done by regulation.

The part I find the most objectionable about Bill 161 is that it's more bashing of the federations. That's not helpful. If you think the federations do not represent the teachers, you are making a huge mistake. There may be some teachers that don't agree with the federations. That's understandable; of 126,000 teachers, there will be some that don't agree. But the federations go through an annual election. It is a totally democratic organization and the federations do speak for the teachers. To be using this bill to further attack and try to undermine the federations' leadership is wrong. What the government should be doing is begin to build some bridges because you have fundamentally undermined the morale in the education system.

I might say that the Minister of Education no longer uses the words "illegal strike." The reason he doesn't use that is because the judge essentially said, "You can't use 'illegal strike.'" I know for a long while Mike Harris loved to use "illegal strike." Well, here's what happened when the government took its case before a judge, who people in Ontario accept as an independent arbitrator, a knowledgeable person who will look at the facts. What did the judge say about the strike? The judge said: "I am not

making any determination on the legality or the illegality of it. In many respects this bill they are presenting is so broad and sweeping in its nature, encompasses so many changes to fundamental issues, that it may very well be unconstitutional." That's what the judge said.

So you will notice that Dave Johnson, the Minister of Education, never used the word "illegal" after that, because he recognized that the judge suggested maybe this bill not only is legal, but maybe it is unconstitutional. So the minister was forced to back off.

The provisions in the bill to attack the federations' leadership are redundant. They can't do that anyway. They don't have the legal authority to do that. It's simply a further attempt by Mike Harris to bash the federations. I would have hoped that by now the government would have said, "Listen. It's time to try to begin some healing," rather than continue to escalate the fight.

I was interested in a comment made by one of the other members of the Conservative caucus, that they're going to ensure that we in the opposition can't participate in this program. Well, that's pretty typical of what I call their bully tactics.

The reason I am concerned about this particular bill — and I understand the reasons for reimbursing people — is that the theme of it is to attack the federations' leadership. I say to people in Ontario: This is a government that tries to take on its enemies one by one; beat them up, move on to the next one. It started with social assistance. That was an easy win for you because a lot of people in Ontario are concerned about how much money goes into social assistance and things like that. But I would just say that in that fight the ones that suffer the most are the young children. Half a million of the young people in Ontario rely on social assistance for their food and clothing and housing. That was the first big fight, and Mike Harris thinks he won that.

Then he took on OPSEU and we remember the severe disruption around the Legislature around the OPSEU public service strike. Mike Harris was pretty proud of himself. Dave Johnson thinks he won that fight. The government then moved on to closing hospitals. Now it's getting a little tougher.

1720

Finally, I think history will show it was the teachers on October 27, when they took their political action — I must say I know a lot of teachers. We all probably know a lot of teachers. I don't think there was a teacher that Monday morning who didn't get up worried about their decision. I think 99% of them wanted to be in the class that day. Financially, every teacher in this province gave up a substantial amount of money. They laid their money on the line. They paid for this. They lost money every single day, a substantial amount of money. For many of them, like most people, it was a significant financial sacrifice. But they made that decision.

It cost them a lot of money. They love their students. It was very difficult to not be in class that day. Mike Harris was on TV saying: "What they're doing is illegal. They're

breaking the law. They're lawbreakers," almost "They should be arrested."

It was very difficult for each teacher to make that decision that morning: "Do I break the law? Do I give up my pay?" For many of them it's important, mortgage payments and all of this, but each and every teacher made an incredible personal financial sacrifice in the interests of the future of public education in Ontario.

The ads that Mike Harris ran were like that squeaky chalk on the chalkboard, when I went to school at least, where that awful sound went down the board and you quivered with the sound of it. That was those commercials to Ontario: Mike Harris scratching the chalk across the board and causing incredible discomfort because he was determined he's going to beat those teacher federations. Well, he didn't, and I think now the people of Ontario recognize that they have lost a say in the education system. It's all going to be done not even by the Legislature; it's going to be done by Mike Harris, and Dave Johnson I guess, but behind closed doors.

If there's one thing I think that Ontarians have valued from the first days when the rural community got together and each farm met in somebody's house to determine, "We've got to hire a teacher to teach our young people," and then they built the schools, it was that local input into the school. It's completely, totally gone, including they'll have no say in the budget. It will be just simply decreed from here. For most of the Conservative back bench that I know, that's almost the opposite of what they told me they believed in, which is some local input, some local decision-making.

The thought of a faceless bureaucrat in downtown Toronto telling Flesherton what their school budget should be was anathema to Bill Murdoch, but that's what this bill does. It really does it.

I understand the compensation, and it will be politically popular, but I think the public should recognize, within that bill are steps designed essentially to provoke a fight once again with our teacher leadership. It's unnecessary. If the bill simply dealt with the remuneration for parents, it would be something that we could have a reasoned, sensible debate on, but it is part of the continuing fight that Mike Harris wants with our teachers and our teacher leadership and it's a mistake, Mr Speaker. It's a mistake.

Mr Bradley: I appreciate the opportunity to discuss Bill 161, which you and I know, Mr Speaker, flows entirely from 160. In fact, if we did not have Bill 160, we would not need Bill 161.

I've watched what has evolved over the last number of weeks, and I have been extremely perturbed, as many of my friends who are normally supporters of the Progressive Conservative Party have become perturbed. In fact, I cannot recall any issue where I have heard from as many people who have been consistently and historically long-time Conservative supporters, who have indicated their disappointment, their disgust and their intention not to support — in fact, not just not to support, but to actively work against this government.

I know everybody over there expects someone in the opposition is going to say that. I must tell you, it has flabbergasted even me to hear some of the people I know personally who have been good Conservative supporters over the years — we're still friends — in St Catharines and the surrounding area. They've worked for the Conservative Party and I know it. It doesn't mean we don't get along socially and so on, but I know of their consistent support for the party. When I hear these people saying they're not going to support the Conservative Party, it means you're going to be left with the rump that supports the Reform Party and don't support anybody else.

I sat in on the hearings in St Catharines — you'd be interested in this, Mr Speaker — on Bill 160, which causes this bill to be necessary. One of the people who tried to appear was the former constituency assistant of the Honourable Robert Welch, former Deputy Premier, former Minister of Education, former minister of the crown in many areas. She stood up and had to be taken out by guards who were there to do that job, security people. She stood and denounced them. She said, "I worked for them in the last election." She stated, "I was the constituency assistant for Bob Welch." She tried to appear at this hearing and was denied that opportunity.

I saw Steve Kaiser there; he's the head of the Urban Development Institute. He got a full half-hour; no problem for Steve. He got his full half-hour, and no doubt bought a few tables at the Tory fund-raisers to get that full half-hour.

Mr Hastings: On a point of order, Mr Speaker: The other side is always pointing out that we're imputing motives. Here's a prime example of imputing motives. If you actually look at the presenters at all the different hearings on Bill 160, they were mainly —

The Acting Speaker: Order. I want to respond. That is a point of order. In our debate, we try not to impute motive. I would ask the member for St Catharines, if he feels he has approached that line, that he would want to recognize that and correct the record.

Mr Bradley: I thank you, Mr Speaker, for your advice. I always appreciate the advice you give me. I will refer to it as a coincidence that perhaps tables are purchased at the fund-raisers and this individual and his organization got half an hour for presentation. I was at the hearing. So was Bruce Smith; he would know. They got a half-hour presentation at the hearing, while others had to struggle to get 10 minutes. Poor Marg Jones, the constituency office assistant to Bob Welch in years gone by, and a worker for the Conservative Party in the last provincial election, didn't get any time to appear before the committee.

I just want to point out how it was stacked, because every other time we have had a committee hearing, as you would know, Mr Speaker, it has been the three political parties who get together, their representatives on the committee, and they select the people who appear before the committee. That was thrown out the window this time, and Mr Johnson appointed those who would appear before the committee. That's the way it was done this time. Eve-

rybody recognizes that. There were people from various fields who made presentations, I want to say that. But I do want to say that I watched as the Urban Development Institute, representing the developers of Ontario, got half an hour while others got only 10 minutes.

Interjections.

1730

Mr Bradley: I won't dwell on that, because that has obviously provoked my friends on the other side to a very great degree.

If we look at how Bill 161 came about, it was this government deciding — at least, a few people in the back rooms of the government: Guy Giorno, whose name is well known, and the other whiz kids of the government decided — that they might as well pick on some target in the province, some easy target. They thought: "Why don't we try to paint the teachers of this province as a privileged group which has special consideration that others don't have? We'll target them, and then people will say, 'That's great. Look at our Mike Harris and our government taking on the teachers of Ontario.'"

What they didn't take into consideration, first of all, is that these are generally very moderate people. They are not radicals. They are not militants. They are, if anything — and you can't categorize everybody, but generally speaking — pretty small-c conservative people, who confined their interests to education itself and in particular to their classrooms. I think that's fair to say, that those are the people we have out there.

This government managed to make out of non-militant, non-radical people, some militants and some radicals. They've radicalized this group of people to such an extent that they would leave their classrooms to protest a major bill in Ontario which would have very bad ramifications for our education system. I didn't know anybody who was out of those classrooms who wouldn't have preferred to be in the classroom and in the school; I don't know of anybody, to a person. I think those people wanted to be there.

If you can radicalize or make militant this group of people to take this kind of action, where they forgo their pay and leave their classrooms, where they want to be, then you have really done something. I don't know whether you can say you're proud of it or not, but you've really done something. I tell you, in my observations over the years, I didn't think that would happen, and it did happen.

It's unfortunate when you do that, because these are going to be your agents of change. These are the people on the front line of the delivery of education services. You want to enlist their support. There are some Conservative supporters out there. There are some people there who voted for you in the last election. Now, many of them today will express their regret at that, but I want to say that at election time many of those people did support the Conservative Party and have over the years supported individual candidates.

I think of Mrs Witmer, Liz Witmer, as we know her in this House, the member for Waterloo North, now Minister of Health. She has a very good reputation. She was con-

sidered to be a class act as the chair of the board of education in Waterloo. She was a secondary school teacher in her former days, a moderate person. I didn't always agree with everything she had to say, but I found her views to be perceptive and interesting and in the interests of education.

Of course, she has expressed her views openly — which is very unusual for a cabinet minister — about her concerns about this bill, particularly the retributive justice this government tried to give out for principals and vice-principals engaging in the protest. She also expressed concern and was on CBC at noon today, if you heard the noon news, her voice, expressing concern about the attack ads.

I don't like governments, of no matter what stripe, spending taxpayers' dollars to purvey political propaganda. However, one can at least understand when the government is providing straight information. That's what the member for Waterloo North said, that the ads should be giving information. I've seen some of the ads out there. I don't agree with the content of that information, but I understand that it is the government's position and the government's interpretation of the bill. The attack ads have gone over the edge.

I don't think this is a result of the Minister of Education, because I know Dave Johnson; I knew him as mayor of East York. When I was the Minister of the Environment, Dave Johnson, as mayor of East York, was a good person to deal with. I respected him in this House in opposition, I respected him in government, and I can't believe that he would authorize the attack ads that we have seen against those who are delivering education on the front lines, and against trustees. Many of us in this House, on the government and opposition sides, have friends and acquaintances who have been trustees in various boards of education, and the ads attack them. I have not seen anything like it.

But I know where it comes from. It's that little ideological, unelected group of smart people, the 20-somethings and early-30-somethings in the Premier's office and outside the Premier's office who have access to the Premier.

What I'm saying is, why don't you listen to the elected members? I asked that of Mr Johnson, the Minister of Education, other day. I asked, "Why don't you tell the Premier to put aside the advice of those people who aren't elected and listen to the caucus out here?" Some of you may agree with what those people are saying, and that's fine, but others won't. My fear is that you've got a highly intelligent, capable individual who's had a couple of decades of experience in municipal and provincial politics having the tune called by the 20-something and 30-something YPCs who seem to have all the answers to everything. That doesn't make any sense.

Dave Johnson is an intelligent man. He doesn't need the advice of those people. He's been elected several times, as have all members on the government side. Tell me what riding Guy Giorno represents. Tell me what riding Tom Long represents. Tell me what riding Leslie Noble represents. They don't represent any riding. You

got elected. The individual people got elected in their ridings. Ms Mushinski got elected in her riding. That's who they should be listening to, not listening to the people who —

Mr Hastings: Patti Starr.

Mr Bradley: If you don't want help with this, that's fine. If the member for Etobicoke-Rexdale is prepared to accept that nonsense out of the Premier's office, that's fine. You don't understand that I am on your side on this.

Laughter.

Mr Bradley: I am. I'm on the side of the elected members in their fight with the unelected backroom boys who run this government. I'm trying to get that information out for you people, to have people rally to your side, to say, "Look, Mike Harris, my Premier, let's make sure that we the elected the members have input and that you put aside the whiz kids who control this government today." I'm trying to encourage you in this regard, and many of you know that what I'm saying is right. I see several heads nodding, some maybe nodding off during this speech, but many are nodding in agreement, I am sure, with what I am saying.

I want to tell you that the government miscalculated when it decided to take on members of the teaching profession, because what you forgot, what the whiz kids forgot was that these teachers are somebody's spouse, somebody's daughter or son, sister or brother, best friend, next-door neighbour. They're people in the community with whom you have worked.

You see, the government propaganda message was countered by those who have had direct experience in education. The government found out quickly that while it tried to paint them into a corner and isolate them, there were many out there, including many parent groups, who understood that teachers were fighting for quality education in this province and against a government whose number one agenda was to concentrate power in the hands of a few bureaucrats in Toronto to run education, and second, to take over \$1 billion out of the education system. There was the support from the parents and obviously from the public as they went on.

At first the government members were told: "You go out to your meetings and you tell people this isn't about money. We're not taking money out of the system." Then someone leaked the document which was the contract of the new Deputy Minister of Education. One stipulation in that contract was that she was to take out of that system another \$667 million — that was right in the contract — on top of the \$533 million that had already been taken out.

Interjection.

The Acting Speaker: Member for Etobicoke-Rexdale, come to order.

1740

Mr Bradley: I'm going to tell you that it was difficult. People said, "Why don't the Tory members show up at the public meetings?" I expressed sympathy; some didn't, but I expressed sympathy. I want to tell my friend from Newmarket that I expressed sympathy for them. I said: "Understand that first of all they were told by the whiz

kids with the prepared papers that this had nothing to do with taking money out of the education system. And then all of a sudden, when they found the contract and it was made public, the Premier said, 'Oh, it is about taking money out of the system, finding economies.' So how can you go to the meeting, once you've gone to one meeting and said it had nothing to do with the money, and then the Premier has said it has everything to do with money?"

It is an effort to take more money out of education. If that was your goal in the first place, you should have been honest enough as a government to say that in the first place and then fight it on that basis.

Mr Douglas B. Ford (Etobicoke-Humber): We do.

Mr Hastings: Listen to him — honest.

The Acting Speaker: There's too much interjection. I'll not tolerate it, and I'll not warn the member from Etobicoke-Rexdale again.

Mr Bradley: My friend from Etobicoke-Humber, who is a small-c conservative and proud of it, would be the kind of person I think who would be prepared to go out and defend this in the first place as an economy measure. That would be honest; that's up front; that's what it's about. But what the government tried to do was disguise that and say it has nothing to do with money. If they had been honest, there would still be disagreement, but at least people would respect the fact that the government was up front, saying their goal was to take another two thirds of a billion dollars out of education and that the government felt the education system could sustain that. If they had said that, at least they would have been honest and up front. I don't agree with that, but they would have been honest and up front about it.

But really what's going to happen is that at least 7,500 teaching positions are going to be removed from our education system in Ontario. Some people will retire, they'll say, and no doubt there will be some inducements and incentives to have people retire early. The government will do that, no doubt. The minister says: "Won't that be nice? We'll have all these new, young teachers coming in." But what the minister doesn't mention is that they're removing 7,500 positions in teaching permanently, taking those people out of the education system permanently. Mr Johnson himself finally said that. You cannot deliver the quality of education, with the population growing in this province, by taking 7,500 people out of the system.

Mr Ted Chudleigh (Halton North): Smaller class sizes.

Mr Bradley: I'm glad the member intervened. It's helpful sometimes, Mr Speaker. I don't think you should discourage it sometimes. The member for Halton — tell me if it's North or Centre. I forget now.

Mr Hastings: The new one will be Halton.

Mr Bradley: Okay. The new one will be Halton. My friend from Halton has intervened about class size. The government will spin this myth that there will be no class over 25 in elementary and no class over 22 in secondary. What the government doesn't point out is that that is not a cap; that is an average. Today we have in the education system, and I think justifiably so, young people and people

not so young who previously were shunted off to institutions or not encouraged to come into our education system. They are now in our regular schools and they require more assistance, require teachers on a different ratio from the so-called regular classes out there. So you're not going to see a cap of 22 or a cap of 25. There are going to be classes which are much larger.

In their ads the government says, "You know what the union bosses want is to negotiate larger class sizes." Now, in 95% of the circumstances, they're there to negotiate smaller class sizes, not larger class sizes. So that's a myth out there. You can't use the other word, can you, in this House? I know, so I'll say "myth." I think it's okay, to use that rather than the other words we can't use. I'll leave it at that.

We'll have fewer teachers to work with the students and we're going to have a situation where we have the provincial government — I can imagine what the people in Perth county must think, because they're pretty independent-minded people down there. I know many of them. The member who represents them is an independent-minded person with a mind of his own and he represents those people in that way. You know, Mr Speaker, that those people are going to be worried that the provincial government will have the power to levy property taxes in their area and that that power will reside in the cabinet — not with the elected members, not with the people who are not in the cabinet, but with the cabinet, by regulation. The rest of us in this House will have no power to debate and discuss this because it's not part of the bill. It's excluded from the bill.

You're going to take on faith the regulatory power of the cabinet. Some people on the government side today may say, "Well, that's okay with me because I trust Mike Harris and our cabinet." Let me go beyond that. What happens then if another government is elected that you don't trust? You've given them the regulatory power to set that tax rate for Ontario without a debate in this Legislature. I think that's not good. You may say, "I trust my own government, but I don't trust maybe the other two parties," so you see why it's important not to proceed with a bill that doesn't have some debating of that aspect. That's very important for all of us, no matter what party you're in.

There's going to be too much power then in the hands of provincial bureaucrats in the Ministry of Education. People at the local level — and I know many who have served on boards — have the input from the parents locally, have the input from the ratepayers locally.

First of all, you made larger boards of education. In some cases those will work out. I don't want to say that in all cases they won't; in some cases they will work out. But in many cases the savings are going to be minimal, and the problem is that the ability to get at those elected representatives is going to be diminished and the power that they will have locally to govern will be diminished considerably. To me, that's not Conservative philosophy. It's contrary to what I always knew as being Conservative philosophy.

What we have in Bill 160, which is why we have Bill 161, is not a fight between the teachers of Ontario and the government of Ontario; it is a fight between those who believe in a strong, vibrant, high-quality, publicly funded education system and those who do not. That is what the fight is about. I happen to believe there are a lot of adherents to the Conservative Party in this province who believe in that kind of system which I have described: a strong, vibrant, high-quality, publicly funded education system. They are going to be deeply disappointed that that is not what Bill 160 is going to deliver to the people of this province.

I had a call from — I don't know if I'm allowed to say it; I'll say a former cabinet minister from an area not in my area. We chatted about the whole approach of this government. This person was very perturbed. I've talked to people who have run as candidates or run for nomination, relatives of people who have been in this House. Almost to a person they're perturbed by this bill, the implications of this bill and the general approach of this government to this piece of legislation.

As a political person, as a partisan, I guess I should be delighted with that. But as a democrat, a person who believes in democracy and who believes there should be strong political parties — all of us should have strong political parties with some diversity in them — I get very worried when I hear that from those individuals.

1750

I think what has happened is that we've had a poisoning of the atmosphere. The attack ads were probably the final poisoning of that atmosphere. When teachers went back to the classroom on that Monday morning, there was a feeling of solemnity and demoralization like I haven't seen before. People weren't doing this in retribution, but I heard of people who had done a lot of extra work to organize, for instance, basketball tournaments that we would have held, and they said: "I'm just not going to do it. I'll coach the team locally in the school, I'll take my team to tournaments and so on, but all of this organization that takes place, all the anguish and trouble that goes with it, I'm sorry. When my government treats me this way, I'm not going to go the extra 10 miles on behalf of this kind of program. I'm still prepared to do the work over and above what normally is expected, but not that extra work that is involved in those kinds of programs." That's the fear, that you've got a very dispirited group.

The whiz kids in the back room would tell you, "Isn't this great?" I never like using this terminology, and I guess I won't, but it's called kicking people, and that's what they say: "We've kicked those people." There are some people who get a kick out of that. There are some people who think that's great. I think most people don't, and I'm very worried that the people who will have to implement the change that this government will dictate are going to be very resentful of the government and resentful of the program. Better to enlist them on your side. Better to say, "Okay, I know you don't agree with everything we're doing, but we want you to be there side by side with us to implement this program." You're just not getting it.

You have poisoned the atmosphere like I've never seen it before, demoralization as I've never seen before in our education system, and resentment of a government. I even think that's unhealthy, to resent a political party that much.

I can tell you that when I read in the paper — this is the *Globe and Mail*; you were quoting this today, your minister — “The Harris Kremlin: Inside Ontario's Revolutionary Politburo,” I become worried because it confirms many of the things I've been saying in this House. It says:

“With few exceptions, insiders say that Mr Harris's reliance on a couple of close aides and the unprecedented centralization of power in his office — referred to by some as ‘the bunker’ — are the cause of the malaise. And it's a sickness that could threaten the Conservative Party's hopes for re-election.”

I should be delighted with that, but I'm not delighted with that. I'm delighted that there is an opportunity to challenge an incumbent government and be competitive in an election, but from the point of view of the democratic system I'm not happy, because I think too many governments concentrate that kind of power in the hands of unelected people.

It goes on to say, talking about the whole program of the government:

“To do all this in such a short time, Mr Harris has played fast and loose with the democratic process. He has surrounded himself with a cadre of young, fervently ideological advisers to do his bidding. Grass-roots supporters who thought the party would emphasize democratic debate, plebiscites and local decision-making have been shocked. In the Harris Kremlin, power flows from the centre. (Indeed, the term ‘the centre’ is now an ominous fixture of party newspeak as in the oft-repeated phrase, ‘No one knows what the centre is thinking.’)”

It goes on to say:

“Thus, ministers are often kept in the dark, making them little more than salespeople for initiatives cobbled together in the Premier's office. Stories abound of ministers caught in the crossfire of Mr Harris's flash temper, his staff's fiddling, and the pressures from their own portfolios.”

This is from Guy Crittenden in the *Globe and Mail*, and much of this is found in the new book by John Ibbitson, who works for Southam News Services. You can purchase it at most stores. I'll bring a copy in next time so you can see what it is, but I have read the book and it's a fair assessment. I'll tell you why it's a fair assessment. I don't agree with absolutely everything in it by any means, but it describes who runs the government and why the government is involved in this.

“Harris's Whiz Kids have Tiger by the Tail in Teachers' Strike.” This is by Carolyn Abraham and Richard Brennan on November 5 in the *Kitchener-Waterloo Record*. Let me quote one section of it that I think is quite relevant.

“Education Minister Dave Johnson, who has been the government's prominent public face during the strike affecting 2.1 million students, is receiving many of his

marching orders from the so-called whiz kids in the Premier's office, Southam News has learned....

“Three weeks ago, the Premier rallied his 1995 election team to devise a strategy as he anticipated a full war with teachers. The advisers fervently believe teachers' unions and their ability to influence spending in the public education system should be knee-capped. They told the Premier he should” — and I quote; this is not my language, I don't use this language but I'm going to quote what they told the Premier — “‘kick the teachers' asses.’” That's what it says in here. I don't like that language, and there it is.

That's what they said. That's right in a published newspaper, and that's what they said to the Premier, the whiz kids in the back room, who dumped many of you people from positions you should be in today, by the way, who are responsible. If you don't think they're responsible, I can tell you that's who is responsible for getting rid of some people and punishing other people. That doesn't speak well for the democratic system.

Here we have a bill, then, which would have been unnecessary without Bill 160. Bill 160 probably would have had more consideration if this government hadn't changed the rules. If you want to look at hockey, our national sport in the winter, it's as though someone said: “Let's get on the ice, and let's get a team of 18 people who are six foot seven and weigh 240 pounds, big, tough people. Then we'll change the rules of the game to make it easier for those people to bump everybody around, to bully everybody around, to have their way.”

That's what the government did. It changed the procedural rules of this House. When it did that, it was again part of the intimidation and bullying of this government. It said: “We don't want the debate we've had on these bills, because the public out there who watch the legislative channel and who follow the news stories are going to hear too much about what we're doing. We don't want all that debate. That's a nuisance. We want to take away any of the bargaining chips the opposition has to try to prolong debate or to have more public hearings or more input.”

When they did that, when they changed the rules of the House, when they concentrated more power in the hands of unelected people, or in the hands of a few cabinet ministers, they attacked democracy for all of us in this House and for all of us in Ontario.

So I worry as I see Bill 161 being a necessity, Bill 161 where the government is now going to put some money out there, without receipts. I've never heard of that. I don't know how the Provincial Auditor will look upon that. It's not consistent with what I know about my Conservative friends. They usually say: “You've got to be accountable. If you want some money, you better show me receipts.” That's consistent, I agree; that's consistent with the government. Now this bill is going to give out money without receipts. I know it's designed to buy some favour with people who normally in the last few weeks have been against the government, and no doubt some people will certainly appreciate that assistance, but we have to know the motivation of the bill. We have to know the bill

doesn't have the safeguards in it that a normally fiscally conservative, careful and prudent government would have.

I'm going to look forward to continuing my remarks next time this bill comes forward. I know all those who are here today in the House will want to return for the next time this bill is before us to hear the completion of my remarks, where I'll be quoting the Anglican Church, the Catholic Church, the United Church, all of the churches

that have expressed their view on this bill and on other matters, because I know we all want to know what those opinions would be.

It being close to 6 of the clock, I will move adjournment of the debate, of the House.

The Speaker: It now being 6 of the clock, this House stands adjourned till 1:30 of the clock on Monday.

The House adjourned at 1759.

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of Ontario**

First Session, 36th Parliament

**Assemblée législative
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Première session, 36^e législature

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(Hansard)**

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Monday 24 November 1997

Lundi 24 novembre 1997

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Honourable Chris Stockwell

Président
L'honorable Chris Stockwell

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 24 November 1997

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 24 novembre 1997

The House met at 1332.

Prayers.

MEMBERS' STATEMENTS

SEXUAL HEALTH PROGRAMS

Mr David Caplan (Oriole): I rise to bring to the attention of members of this House, and in particular to the Minister of Health, the concerns of the Sexual Health Network of Ontario. This organization of providers of sexual health services has grave concerns about the download of costs of these programs on to municipalities.

They have some real concerns about the impact of downloading on access to sexual health services. Their concerns appear to be justified. Overall public health stands to decline if these programs lose their funding. The negative impact would be tangible in areas such as increased teenage pregnancies, the increased occurrence and spread of sexually transmitted diseases and AIDS and HIV, and a decline in accessibility to services, especially for young people.

Not only will municipally administered programs face funding cuts and possibly extinction, but exclusive provincial agencies such as the Sex Information and Education Council of Canada and Planned Parenthood Ontario's Facts of Life Line will have no direct funding sources. These agencies will certainly collapse without provincial intervention. Clinics in Hamilton and Ottawa face closure on January 1 without immediate intervention.

The Sexual Health Network of Ontario is not asking for an increase in funding. They are requesting that these programs remain funded by the province. We believe that your ministry should consider incorporating these valued programs under its budget to protect the provision of these services.

Minister, my colleague Gerard Kennedy and I wrote to you last week to draw your attention to this urgent matter. It is 40 days until January 1, 1998. The remedy is straightforward. It is our sincere wish that sexual health programs can be accommodated in the provincial budget. Your immediate attention to this matter is required to sustain —

The Speaker (Hon Chris Stockwell): Thank you.

GOVERNMENT LEGISLATION

Mr Tony Martin (Sault Ste Marie): There is great anxiety in the land. People, having seen the poor attacked by massive cuts to their income, seniors attacked by new taxes on prescription drugs and a serious reduction of the money available for subsidized housing, and the general public and communities attacked as health care deteriorates, firefighters and police are disillusioned and civil servants at every level downsized, are waiting for the other shoe to drop. This week we will see that happen. Among other things, we will have passed in this House Bill 160, Bill 142 and Bill 152, a package that makes mega-week pale in comparison.

People are aware of the far-reaching impact of Bill 160, primarily because of the selfless two-week walkout by the teachers.

Bill 152 will see a downloading of the costs of services to municipalities unheralded in Canadian history. This is a complete reversal of the move to a more progressive tax structure, unloading the cost of some of the most important services for people on to the backs of property taxpayers. Property taxes will go up.

Bill 142 is the final straw in breaking the back and the will of the poor in this province.

What are we to do in front of this onslaught? Well, if we can't think of anything to do ourselves, we should support those who have found ways to express their opposition. For example, Gary Conley is on a hunger strike at Trinity-St. Paul's United Church —

The Speaker (Hon Chris Stockwell): Thank you.

EDUCATION REFORM

Mr Wayne Wettlaufer (Kitchener): I rise today to thank hundreds of my constituents for their support.

During the past few months, both in my riding and throughout the province, the teachers' unions have made a concerted effort to ensure their political views were the only views expressed. Last week in my riding the unions held meetings at a number of high schools which they advertised throughout the region as being public forums sponsored by parent councils to discuss Bill 160. What they should have advertised was that these were public forums at which only union views would be expressed.

In an attempt to provide parents with information about the bill and its amendments, on Tuesday, November 18, I instructed my executive assistant to travel a 250-kilometre

round trip to the riding to represent me at one of the meetings. The OSSTF organizers of the meetings refused to allow him to speak at the meeting. The parents were forced to sit for over two hours listening to OSSTF representatives express their political opinions and were not given the opportunity to question the speakers.

Within two days of the forums, my office received 114 telephone calls, 95 of those calls in support of Bill 160 and the government, with only 19 supporting the union position. I would also like to advise the House that in the past two weeks, I have met with over 700 of my constituents in various meeting. Without fail, I have been surrounded with well-wishers who have stated loudly and clearly that they support the efforts of this government and want Bill 160 passed as quickly as possible.

Mr Rick Bartolucci (Sudbury): Within a very few days this House will vote on Bill 160. Never before in the history of this government's regime has there been so much attention focused on one vote.

I challenge Mike Harris and the Conservative whip to ensure that this is a whipped attendance. I challenge Mike Harris and the whip to ensure that every Conservative member is in this House to vote. Will the government ensure that every Conservative member is in the House?

There is no reason for any government member to miss this vote. Remember last week? Mike Harris said it's going to be a free vote. Well, if it's going to be a free vote, you can vote representing the views of your constituents. You should have no reason not to represent the people who elected you.

Are we in the opposition to understand, then, that anyone who misses this vote is missing it because they're in favour of it, or are they missing it because they are opposed to it? That's why, Mike, that's why, Whip, we want every Conservative member in the House. We want to find out which Conservative members believe in PPE, which is "protecting public education," and those who just want to PTA, and that doesn't stand for "parent-teacher association," it stands for "protecting thine" — for use of another word — "derrière."

The people of Ontario will understand —

The Speaker (Hon Chris Stockwell): Thank you.

SEXUAL HEALTH PROGRAMS

Ms Marilyn Churley (Riverdale): There is a lot of attention being spent right now on Bill 160, as there should be, on the education so-called reform. But while all this is going on we heard today of another shocking development caused by the policies of this government. Under Bill 152, also known as the Services Improvement Act, the entire downloading of our public health system is going to happen very soon unless this government does something about it.

What we heard at the news conference this morning put on by the Sexual Health Network of Ontario is that they are left in limbo. The entire costs — which used to be paid for for these programs, the sexual health services, includ-

ing HIV and teen pregnancy, menopausal services, all kinds of services — are going to be downloaded 100%.

We all know what that means. We are in transition here, across Ontario. In Metro we have the new megacity. They have not made any commitments as to what is going to be funded and what isn't, but we know that sexual health services are often controversial and often small groups of vocal people can stop a municipality from funding these kinds of essential programs. It is incumbent on this government to at least exempt the sexual health services —

The Speaker (Hon Chris Stockwell): Thank you.

1340

CANADIAN CORPS ASSOCIATION

Mr Jerry J. Ouellette (Oshawa): It is with great pride that I rise to address the House today to congratulate the Canadian Corps Association, Oshawa Unit 42, on its 50th anniversary.

On November 11 we all took a moment of silence to honour those who fought and sacrificed for the rest of us.

The city of Oshawa is proud to be the home of several veterans' organizations which contribute richly to our community. One of these, the Canadian Corps Association, Unit 42, celebrated its 50th anniversary on November 8 of this year.

The Canadian Corps Association is a national veterans' organization that is committed to the welfare of disabled veterans and their families. Through its federal and provincial network supplying current information concerning war veterans' legislation and issues, the Canadian Corps is able to greatly assist veterans and their families.

Since Unit 42's start with some 38 members, the unit has strongly grown to approximately 800 members, including ex-service personnel and associate members. The unit offers a wide range of activities and assistance to its members. In everything it does, Oshawa Unit 42 is strongly supported by an active ladies' auxiliary.

In its half-century of existence in Oshawa, the Canadian Corps Association has contributed greatly to our community. The unit has been a strong supporter of the local hospital, minor hockey, local charities, and youth organizations such as the army and navy cadets.

Local veterans' organizations such as Oshawa's Canadian Corps Association, Unit 42, and their individual members are a significant and invaluable part of each of Ontario's communities. I'd like to congratulate the Canadian Corps Association, Oshawa Unit 42, on its 50th anniversary.

EDUCATION REFORM

Ms Annamarie Castrilli (Downsview): Ontarians are becoming extremely worried about the effect that Bill 160 will have on the quality of public education. While all of us are concerned with education, virtually all of the provisions contained in the bill have nothing to do with education.

This bill is unprecedented in scope. It concentrates power in one man, the Minister of Education. He and he alone decides, among other things, what taxes will be imposed. We have in this country a tradition going back for centuries that there will be no taxation without representation. This bully government is ignoring all this and Crown Prince Johnson is insisting on a feudal prerogative to tax the people without their involvement.

Listen to the people; repeal the bill. If not, at least submit it to the courts of this land to determine whether it is constitutional or whether the bully actions of this government are in fact legal.

VISITORS

Mr Tony Silipo (Dovercourt): I have a two-part statement today, the first part truly non-partisan. I would like to welcome to the Legislative Assembly the mayor of Valledonga-Monserrato, a town in Calabria, the region in Italy that I'm happy to say I come from. Domenico Garisto is here, also with Francesco Vetrò, the deputy mayor, and Bruno Suppa, the president of the club of Valledonga-Monserrato here in Toronto, and a number of people from the club and the association. I had the pleasure on the weekend and also today to greet the mayor and the deputy mayor here, together with the Minister of Economic Development, Trade and Tourism. Let me just welcome members here.

EDUCATION REFORM

Mr Tony Silipo (Dovercourt): The other part of the statement is not as non-partisan. It has to do with the continuing fight that we are taking on and that we are bringing to the floor of this Legislature that reflects the fight that is going on across the province about Bill 160 and the incredible, horrific changes this government wants to bring about.

We know the concentration of powers in the hands of the minister goes beyond any reasonable limit. We know that the cuts in the hundreds of millions of dollars that have already taken place and that are yet to come will devastate the system of education. It's what parents across the system are speaking out against, parents in many of my schools, like St Sebastian's, where I'll be tonight, Oakwood, St Clair, Hillcrest and many other schools. Indeed parents right across the system are saying to this government, "Stop now before it's too late."

DOMESTIC VIOLENCE

Mr Toni Skarica (Wentworth North): In my constituency of Wentworth North, Dundas Community Services is holding a forum on domestic violence tomorrow evening. This is part of an effort during Wife Assault Prevention Month to raise awareness about an important and troubling issue.

At the forum, professionals from various groups and institutions that deal with the effects of violence against

women will present their views. They will also accept anonymous written questions from the audience on how any victim of domestic violence can get help.

This forum is just one of many programs and services Dundas Community Services has offered during more than two decades of service to the community. The group is celebrating its 25th anniversary this year. I would like to offer the staff and volunteers at Dundas Community Services my congratulations for 25 years of effective leadership in the community and my best wishes and all our best wishes for their continued success.

ESTIMATES

The Speaker (Hon Chris Stockwell): Standing order 62(a) provides that "The standing committee on estimates shall present one report with respect to all of the estimates and supplementary estimates considered pursuant to standing orders 59 and 61 no later than the third Thursday in November of each calendar year."

You'll be happy to know that the House not having received a report from the standing committee on estimates for a certain ministry on Thursday, November 20, 1997, as required by the standing orders of the House, pursuant to standing order 62(b), the estimates and supplementary estimates before the committee of the Ministry of Health, the Ministry of the Attorney General, the Ministry of Education and Training, the Ministry of Transportation, the Ministry of Citizenship, Culture and Recreation, the Ministry of Environment and Energy and the Ministry of Agriculture, Food and Rural Affairs are deemed to be passed by the committee and are deemed to be reported and to be received by the House.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON ESTIMATES

Mr Rick Bartolucci (Sudbury): I beg leave to present a report from the standing committee on estimates.

Clerk at the Table (Mr Todd Decker): Mr Bartolucci from the standing committee on estimates presents the committee's report as follows:

Pursuant to standing order 61(c), the supplementary estimates (1997-98) of the following ministries and offices not selected for consideration are deemed passed by the committee and reported to the House in accordance with the terms of the standing order and deemed to be received and concurred in:

Ministry of Community and Social Services, vote 702, adults' and children's services, \$199,530,000; Ministry of Finance, vote 1204, fiscal and financial policy, \$900,000,000, vote 1207, property assessment, \$21,228,300; Management Board Secretariat, vote 1803, business services and corporate controllership, \$30,000,000 —

Mr Bartolucci: Dispense.

INTRODUCTION OF BILLS

ONTARIO LOTTERY CORPORATION AMENDMENT ACT, 1997

LOI DE 1997 MODIFIANT LA LOI SUR LA SOCIÉTÉ DES LOTERIES DE L'ONTARIO

Mr Morin moved first reading of the following bill:

Bill 163, An Act to amend the Ontario Lottery Corporation Act / Projet de loi 163, Loi modifiant la Loi sur la Société des loteries de l'Ontario.

The Speaker (Hon Chris Stockwell): Is it the pleasure of the House that the motion carry? Carried.

Mr Gilles E. Morin (Carleton East): The bill would ban the sale of lottery tickets through instant ticket vending machines and would prohibit owners and operators of public places from having or keeping such machines at those places.

MOTIONS

HOUSE SITTINGS

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): I move that pursuant to standing order 9(c), the House shall meet from 6:30 to 9:30 pm on November 24, 25 and 26, 1997, and December 1, 2, 3, 4, 8, 9, 10 and 11, 1997, for the purpose of considering government business.

The Speaker (Hon Chris Stockwell): Is it the pleasure of the House that the motion carry? Carried.

COMMITTEE SUBSTITUTIONS

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): I move that the following substitutions be made to the membership of the following standing committees:

On the standing committee on the administration of justice, Mr Ouellette be substituted for Mr Flaherty and that Mr Stewart be substituted for Mr Guzzo; on the standing committee on estimates, Mr Young be substituted for Mr Grimmett; on the standing committee on finance and economic affairs, Mr Guzzo be substituted for Mr Young and that Mr Baird be substituted for Ms Bassett; on the standing committee on general government, Mr O'Toole be substituted for Mr Tilson; on the standing committee on government agencies, Mr Grimmett be substituted for Mr Baird; on the standing committee on the Legislative Assembly, Mrs Mushinski be substituted for Mr Clement; on the standing committee on the Ombudsman, Mr Beaubien be substituted for Mr O'Toole; on the standing committee on public accounts, Mr Young be substituted for Mr Grimmett; on the standing committee

on regulations and private bills, Mr Boushy be substituted for Mr Beaubien; on the standing committee on resources development, Mr Preston be substituted for Mr Ouellette; on the standing committee on social development, Mr Parker be substituted for Mr O'Toole.

The Speaker (Hon Chris Stockwell): Is it the pleasure of the House the motion carry? Carried.

1350

ORAL QUESTIONS

EDUCATION FINANCING

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Minister of Education. Throughout last week I was asking you, on behalf of teachers, trustees, parents and students, to withdraw Bill 160, to start anew and to put into place in this House a bill which would truly reflect a partnership between government and all those others who must necessarily be involved in delivering quality education in the province.

Today I want to raise a voice on behalf of another community, the business community, which is growing very concerned about the tax implications of Bill 160. We read in today's paper that the education component of business taxes could go up in the 905 area by as much as 37%. As you might imagine, Minister, this is absolutely terrifying for businesses which are trying to eke out an existence and keep the people they employ employed. Can you please provide your assurance right here and now that there is not a single business in Ontario that will see its taxes increase as a result of Bill 160?

Hon David Johnson (Minister of Education and Training): I'll refer this question to the Minister of Finance.

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): Let me assure the leader of the official opposition that this government is not about raising education taxes. He sat as a member of the government. His colleague sitting to the right of him sat as a cabinet minister in governments from 1985 to 1995 in this province that allowed education taxes to rise some 82% in the mill rate over 10 years and 120% in terms of the revenue raised. I can assure the honourable member this government is not about that; this government is about freezing the amount of money people pay in education taxes in Ontario.

Mr McGuinty: I did not receive the assurance I was seeking, either from the Minister of Education or the Minister of Finance. How can you expect us to vote on this bill, let alone vote in favour of it, when you cannot provide that assurance? What we're talking about here are business taxes, the education component of business taxes in the 905 area in particular, which could increase by as much as 37%. I want to ask you one more time, to the Minister of Finance this time, then, if the Minister of Education cannot provide that assurance, can you provide the assurance now that there is not a single business in

Ontario that will see the education component of its business taxes increase as a result of your bill, Bill 160?

Hon Mr Eves: Of course nobody can provide the assurance that not a single business out of millions of businesses won't see a tax increase. But I will say to the honourable member that the total amount of money raised by business taxes in Ontario will not go up one cent as a result of the legislative action we are taking.

Mr McGuinty: Where have we heard that before? That lends no comfort whatsoever.

Hon Mr Eves: You heard it from David Peterson. You heard it from Bob Rae. That's where you heard it before.

Interjections.

The Speaker (Hon Chris Stockwell): Order. Final supplementary.

Mr McGuinty: It's good to have the Minister of Finance back to speak, although he may have an unfair advantage. He's refreshed and invigorated, unlike the rest of us who have been here all along.

Minister, that assurance that you attempted to provide there lends no comfort whatsoever to those businesses which could be on the losing end of this proposition. There are businesses in Ontario which are going to see their taxes go up, the education component of their taxes go up, perhaps as much as 37% in the 905 area, as a result of your Bill 160.

You're the guy who tells us time and time again that tax hikes are job killers. I want you to table today your impact studies that tell us precisely the impact of those tax hikes, what it's going to mean to businesses, which businesses are going to be affected and how many jobs are going to be lost as a result of your Bill 160. Will you do that, Minister? Table those impact studies so we will know what impact Bill 160 is going to have and how it's going to hurt our businesses.

Hon Mr Eves: I will say to the leader of the official opposition, as I have said several times, that the ultimate impact study is, of course, the reassessment of the province of Ontario. When the reassessment is complete, then some of those policy decisions can be made. But, as we already indicated to the opposition and to members of the public, we are undertaking and have undertaken to provide municipalities with the ability to set small commercial rates, lower than larger commercial properties, and he will have to wait until we make those policy decisions about businesses.

But we have made one that we are not going to deviate from, and that is the total amount of revenue raised from business and property taxes in Ontario today with respect to education is not going to go up at all. It is not going to go up over the province.

I understand he has a problem with equity and fairness in the system. I understand that Mr Peterson's government and Mr Rae's government didn't have the intestinal fortitude to introduce fairness and equity in the system, but we are going —

The Speaker: New question, the leader of the official opposition.

EDUCATION REFORM

Mr Dalton McGuinty: My question is for the Minister of Education and Training. If the Minister of Finance won't tell us how many jobs are going to be lost in the business sector as a result of Bill 160, I want to talk to the Minister of Education about another kind of job loss, and that is with respect to teachers in Ontario. We have heard that from 4,000 to 10,000 teachers are going to lose their jobs as a result of Bill 160. I want to give you the opportunity now, Minister of Education, to tell us, for purposes of the record, how many teachers are going to be laid off, to be let go as a result of Bill 160?

Hon David Johnson (Minister of Education and Training): There will be no teachers laid off as a result of Bill 160. As always, the school boards will determine the proper staffing. As they have in the past, the school boards in the future will continue to determine the proper staffing for their schools, will determine how many teachers they need, what their staffing complement should be. That's the way it has been in the past, that's the way it will be in the future.

Mr McGuinty: You know as well as I do that as a result of your Bill 160 there is going to be a net loss in the number of teachers teaching our students in Ontario. There are going to be fewer teachers available for a growing number of students. Your own ministry tells us that the number of students is going to increase steadily by over 10,000 every single year until we get to 2004. There are going to be fewer teachers — in fact, we understand thousands fewer teachers — more students every day and less money in the system.

Now you tell me, because nobody else in the province understands this, how is that going to make for a better education for our students? Thousands fewer teachers, hundreds of millions fewer dollars, tens of thousands more students — how is that going to make for better education for our students? Therein lies the crux of this matter. How are you improving education for our students, when you are taking out money, you are taking away teachers and the number of students is growing every day?

Hon David Johnson: As I've indicated in this House on many occasions, Bill 160 is about improving the quality of education. It's also about looking at efficiency within the education system because we need to look at efficiencies right across the board. The school boards will determine the number of staff they need. They will determine the number of teachers they need. This government will provide a fair funding formula to cover the funding needs in a fair and equitable way for all of the boards across Ontario.

But in terms of quality, capping the average class size so it doesn't go up, making sure that our students have access to the same number of instructional days as students in other provinces, ensuring that there are qualified people to complement the teachers within the classroom, these are a few of the ways that Bill 160 will be adding quality to the education system in the province of Ontario.

1400

Mr McGuinty: The minister would have us believe that there's all kinds of certainty connected with Bill 160. In fact, there is not. Just to recap for today's questions: We don't know how the education component of business taxes is going to affect businesses throughout the province. We don't know which businesses are going to be affected, we don't know how much their taxes are going to go up and we don't know how many jobs are going to be lost as a result of that. Furthermore, this minister is not prepared to admit how many teachers are going to lose their jobs, how many fewer teachers there are going to be to teach our students as a result of Bill 160. Finally, we still don't know how many hundreds of millions of dollars are going to be removed from the system as a result of Bill 160.

What this minister and this government want us to do now is to buy this pig in a poke. There is no certainty whatsoever connected with Bill 160. For that reason, once again, I'm asking you on behalf of teachers, students, parents, trustees and all friends of public education, will you withdraw Bill 160?

Hon David Johnson: I realize that to a party that doesn't have a policy on education this is a difficult concept, but the concept is simple in that it is looking for quality within the education system at the same time it's looking for efficiency. We are asking our teachers to spend the same amount of time in the classroom as teachers do in other provinces. We are capping the average size of our classrooms.

Yes, we are looking for efficiencies, but in terms of what moneys will be invested in the education system, that will be determined through the annual budgets and you can be sure that whatever it takes to ensure a quality program in our education system in Ontario, that's what will be spent.

SCHOOL PRINCIPALS AND VICE-PRINCIPALS

Mr Howard Hampton (Rainy River): My question is also for the Minister of Education. I want to bring the Minister of Education up to date on some recent events in international law. The International Labour Organization committee on freedom of association in Geneva has just ruled that your government has breached international law by the use of Bill 7 to suspend collective bargaining rights for agricultural workers, domestics, land surveyors, lawyers and a number of other occupational groups. You are in breach of international law.

If you read the decision of the International Labour Organization, which is an arm of the United Nations, it would also apply to your plans to suspend the collective bargaining rights of principals and vice-principals. In other words, you've already broken the law once, now you're going to break it again. Minister, will you spare Ontario further international embarrassment and withdraw Bill 160 and restore collective bargaining rights?

Hon David Johnson (Minister of Education and Training): I must admit that I wasn't quite up to date on the decisions of the International Labour Organization in general matters, and I'm delighted to be brought up to date in that regard.

I will say, though, with regard to the principals and vice-principals, we are merely going the route that is currently in place in the province of Quebec. In the province of Quebec the principals and the vice-principals are not part of the union. In the province of British Columbia, the principals and the vice-principals are not part of the union. The reason is very simple. The reason is because the principals and the vice-principals have a management role but currently they also play a role in the union. Those two responsibilities are in conflict with one another. The government is saying, to address that conflict, to ensure that the principals and vice-principals are not put in that compromising position, we will take them out of the union to clarify that matter.

Mr Hampton: In fact, what the government is doing goes far beyond that. The government intends to take principals and vice-principals out of the teachers' federations and will not allow them to form any kind of federation representing them as principals and vice-principals, and that is what runs amok of international law.

This is your government's record. Any time an impartial body looks at what your government is doing, we find that you continually break the law. For example, you're cited by Amnesty International over the way your government has conducted itself at Ipperwash park and the death of Dudley George. Then our own courts point out that your attack upon pay equity is unlawful and in breach of the Constitution. Then you yourself, Minister, have been accused of interfering with the labour relations board and your government continues to fight against allowing an independent adjudicator to review the case.

Minister, your government is not above the law. Will you take back Bill 160 and restore the collective bargaining rights of principals and vice-principals?

Hon David Johnson: It's curious to me as to why when in the province of Quebec where the principals and vice-principals are not part of the union, the second-largest province in Canada, in British Columbia, one of our largest provinces where the principals and vice-principals are not part of the union, when those provinces have a model that's working whereby principals and vice-principals are removed from this particular conflict, why indeed it can't work here in Ontario. This is something that's been debated over a number of years. There have been various reports. There have been various submissions on this general topic. There is a compromising position. It's a position that you wouldn't see very many other individuals in. Fire chiefs, deputy chiefs, for example, are not in the union. The top officials within the police department are not in the union. I think it's time to address this particular situation and make sure this conflict no longer exists.

Mr Hampton: It's interesting to listen to the Minister of Education try to find reasons why his government

should be allowed to continue to break international law and cause embarrassment for Ontario.

Let's look at Quebec. Quebec is doing exactly the opposite of your government. They are in fact decentralizing control over education. They do not believe in a Kremlin approach to education. In British Columbia, there is no legislation prohibiting principals and vice-principals from forming their own federation in terms of collective bargaining interests or in terms of other interests with the government. Yours is the only government in Canada, and the ILO cites your government as the government which seems to believe that it can trample all over people's rights, seems to believe that you're above international law.

These are letters from thousands of principals and vice-principals across this province. They do not believe that what you're doing in Bill 160 is in the interests of education and they're asking you to remove them from Bill 160, as was originally intended. Will you do that?

Hon David Johnson: The member opposite, the leader of the third party, of the NDP, talks about the collective bargaining process. I think at this time in our history when the labour movement thinks of the granddaddy of them all in terms of violating the collective bargaining process, they think of the social contract implemented by the NDP government. I think it's very convenient for the New Democratic Party to forget about the social contract, where they ran roughshod over the labour movement in Ontario.

But this government, by contrast, has committed to protect the employment conditions of the principals and the vice-principals until September of next year, until they've had a full period of time, through consultations with this government, consultations with the boards, to establish new, proper and appropriate terms and conditions for their employment.

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EDUCATION FINANCING

Mr Howard Hampton (Rainy River): Also to the Minister of Education: Minister, for your edification I'll read the ILO's report on the social contract. For your information, "The committee considers that taking into account all the circumstances and all the provisions of the impugned legislation, the social contract did not go beyond the acceptable limits that might be placed temporarily on collective bargaining."

My point to the minister is this: Minister, under section 207 of the Education Act, boards of education are required to hold all meetings open to the public. Under section 55(3) of the Municipal Act, all meetings must be held open to the public, and meetings where tax levels are decided are not exempted from these requirements. Boards of education and municipal councils have to hold their meetings open to the public, and this includes meetings that will raise taxes. Can you tell me why your government shouldn't be held accountable to the same law, why

you should be allowed to set tax rates behind closed doors?

Hon David Johnson (Minister of Education and Training): We have clearly indicated that there will be a legislative process to deal with the property tax, but we've also indicated that over the years there have been thousands upon thousands, upon hundreds of thousands of taxpayers in Ontario saying the system needs fixing, the tax system needs fixing. Senior citizens, young couples with families struggling to pay the mortgage, struggling to pay escalating property taxes year after year have come to members of this government, have come to members of municipal government saying, "Do something about the property taxes as they pertain to education in Ontario." Businesses here in Metropolitan Toronto and across Ontario have been going bankrupt. This government has said, "Okay, it's time for action, it's time to do something" —

The Speaker (Hon Chris Stockwell): Thank you very much. Supplementary.

Mr Hampton: When school boards and municipal councils are going to raise taxes they have to hold open meetings, meetings open to the public. I ask the minister why his government believes it is above the law. If a school board or a municipal council tried to do what you're trying to do now, they would be in breach of the law, they would be in breach of one of the fundamental principles of democracy, trying to set taxation without representation. That's what your government is trying to do. You can try to find every justification, every wishy-washy excuse you can. The fact of the matter is you are in breach of one of the fundamental rules of democracy. You're trying to place yourselves above the law.

Minister, how do you justify that? How do you justify setting tax rates behind closed doors, without any public input, without any public debate, when no one else in this province is allowed to do that? How do you justify that?

Hon David Johnson: Year after year people have been asking for reform in the education system pertaining to property taxes. That's number one. They want to see one government take seriously the costs of education, the tax costs.

Second, if it's indeed above the law, as the member says, then I'm sure the government will be taken to court and the government will be ruled to be beyond the law. If that doesn't happen, then I presume the government isn't above the law.

Third, I would say that in Alberta today this is the exact system that takes place. In British Columbia, taxes are set through regulation in the same sort of manner as has been mentioned here in Ontario.

Mr Hampton: Minister, I have cited today at least four situations where your government has been hauled either before a court here in Ontario or an international tribunal and you have been embarrassed because you have either been in breach of the Canadian Constitution or been in breach of international law.

Let me give you some advice on Bill 160: Send it to the courts now. Ask them if they think it is acceptable to set

taxation without representation; ask them if they think it is acceptable to breach one of the fundamental rules of democracy; ask them if they think it is acceptable that you should try to hold yourself above the law which applies to every other public body in this province, that is, that tax rates must be set at open public meetings.

That's my suggestion to you, Minister. Take it to the court and let the court decide. Don't embarrass yourself further down the road. Find out now before it's too late. Do the right thing. Find out if you're in breach of the law, as we believe you are.

Hon David Johnson: I'm sure that if the member opposite is so convinced we'd be in breach of the law, then he would be equally convinced that his colleagues in the province of British Columbia are in breach of the law as well, but somehow the NDP in British Columbia goes through the same process and establishes rates for education purposes. It seems to work in British Columbia. It seems to work in Alberta.

It will work. Not only will it work here in Ontario, it will work better. It will be a fair and equitable system for all schools across the province. It will stop the halt of escalating property taxes for the senior citizens, for the property taxpayers, for the homeowners and for the businesses in Ontario, an escalation they have been crying for years to stop. Finally one government is going to stop that escalation of property taxes.

EDUCATION REFORM

Mrs Lyn McLeod (Fort William): My question is for the Minister of Education. Your government has taken out a new set of ads today. The ad is not —

Interjections.

The Speaker (Hon Chris Stockwell): Order. Member for Fort William.

Mrs McLeod: That's right, Minister. The ad is headed in big, black, bold letters, "If You Want To Be Heard... Speak Up."

The Speaker: Question, please.

Mrs McLeod: I know this ad isn't about education, but on education people across this province are speaking up.

I am surrounded today —

The Speaker: Thank you. Minister.

Hon David Johnson (Minister of Education and Training): I certainly appreciate that question, Mr Speaker. She's right. People around the province of Ontario are speaking up.

I have a letter from one constituent. It says, "I would like to express my support for the initiatives undertaken"—

Interjections.

The Speaker: Order. Minister.

Hon David Johnson: In the letter: "I support you 100%. I'm a parent of two children aged 5 and 7 years. A note to let you know I fully support the Conservative Party on Bill 160."

Another note: "Do not back down. The system is too top-heavy."

Interjections.

The Speaker: Minister.

Hon David Johnson: The people of Ontario want to see reform and improvement in the quality of our education system. We've seen the slide under the previous two governments in terms of the quality and the accountability of our education system. Bill 160 is about improving the quality, improving the accountability, improving the efficiencies. I believe the people of the province of Ontario want to see those factors in our education system.

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Mrs McLeod: Minister, since you've read those two letters, I hope you'll also read the letters from the hundreds of parents and students who have been pouring their concerns into our offices. I hope you will look at the petitions with tens of thousands of names on them in the boxes that surround me today and in the boxes we've been sending over to you.

There are hundreds and hundreds of parents and students and teachers who are marching and holding rallies. They're not only speaking up, they're doing everything in their power to make you listen, to hear them. You have launched chaos. We have parent councils resigning because they're worried about what you're going to make them do; we have the threatened resignations of principals and vice-principals; teachers are demoralized. There wasn't even enough room in the jail cells of Guelph to put the people who came to protest against what you are doing to education.

Minister, if you want people to speak out, will you listen or are you going to ignore their concerns? Are you going to ram through your Bill 160 this week, despite all these voices of people who are speaking out and saying no to Bill 160?

Hon David Johnson: If the Liberal Party wants to stall again, to drag their feet, to not move forward with reform, I'm sorry, I'm going to have to disappoint the Liberal Party. This issue has been studied year after year. This decade alone some eight different reports: the Royal Commission on Learning, the Education Improvement Commission, report after report, study after study, millions of dollars after millions of dollars, consultation processes with the people of Ontario, with the teachers, with the school boards, with parents all across the province.

It is time to get on with the reform of our education system. It is time to get down to the basic problem and allow our students to have the same opportunities as the students in other provinces. This government is committed to that reform, to improving that quality, to improving the accountability and finding the efficiency within the system.

The Speaker: New question, third party.

Mr Howard Hampton (Rainy River): I have a question to the Minister of Education. This past weekend literally hundreds of parents across the province, in communities like Toronto, Windsor, Sudbury, Kenora, Sioux Lookout, went out and began a petition campaign to hold a

referendum on Bill 160. They believe, as your government believes, that these kinds of important questions should be decided by means of referendum. They're going to get the 700,000 signatures to hold that referendum.

Minister, I'm asking you, do you stand behind your own committee report, which says that you believe these kinds of important questions should be decided by means of a referendum? Do you agree with your own committee report and are you going to hold a referendum when those 700,000 signatures come forward?

Hon David Johnson: Across the province of Ontario there are great numbers of parents who want to get on with reform in the education system. This government is committed to introducing reforms to the better curriculum, the more rigorous curriculum, to the testing, to the report card, to the facets in Bill 160 ensuring that our average class size does not increase, ensuring that our students have the proper number of instructional days in the year; currently they have at least 10 fewer than their colleagues in other provinces across Canada.

Yes, it's very convenient to stall, delay, set these kinds of reforms aside, find another reason, as the NDP government found, as the Liberal government found, to stall, delay, not take any action. This government is going to move ahead. This government has a plan, has an agenda and is going to introduce reform into Ontario.

Mr Hampton: These are parents across this province who are organizing. They are organizing the green ribbon campaign in support of public education and they are organizing for a referendum on Bill 160. Minister, just to give you an indication of how strongly people feel, they've sent you a gift today, a gift that you cannot ignore. They are going to continue to send you gifts. In this case, it's your own green apple.

Minister, I want to quote for you your own report. This is what your own MPPs had to say on the committee. They said, "In an initiative it is the citizenry, not the political elite or the media, who are determining what is an appropriate issue for a referendum." The citizens are gathering the petitions. Are you going to recognize their right to a democratic decision? Are you going to grant them the referendum they're asking for?

Hon David Johnson: At the same time, I have communications from parents in Hamilton, St Catharines, North York, Brantford and Scotland, Ontario. I have communications from across the province in support of going ahead with reform. They are saying what parents have said year after year after year: that the education system needs to be reformed. It has been studied since 1950. It has been studied to death. Millions of dollars of taxpayers' money has gone into studies. It is now time to proceed with those reforms, to ensure that our students have the same number of class days and that their class sizes do not increase; that the reforms that are contained in Bill 160, the reforms that are contained around Bill 160, it's time to go ahead and introduce them. This government is going to proceed.

Mr Hampton: On a point of order, Mr Speaker: Would the Minister of Education and Training quit reading from the same three letters?

Interjections.

The Speaker: Member for Durham East, I know that's not your seat. Order. New question, member for Durham-York.

PUBLIC CONSULTATION

Mrs Julia Munro (Durham-York): My question is for the Minister of Intergovernmental Affairs: How is the Ontario Speaks public consultation process being affected by the current disruption in the postal service?

Hon Dianne Cunningham (Minister of Intergovernmental Affairs, minister responsible for women's issues): It is unfortunate that the delivery of Ontario Speaks, the brochure in both official languages, has been delayed in some areas by the postal strike. I know that there is concern that some of the French brochures have not been delivered. Let me assure this House that we have taken a number of steps to address that problem and will continue to do so.

French copies of the brochure have been mailed to postal routes in northern and eastern Ontario and they will be delivered as soon as the postal dispute is resolved. Most of the French brochures for the rest of the province should have been delivered by now. In addition, French copies of the brochure are being inserted in French-language daily and weekly newspapers this week. French brochures are available from MPPs or from our toll-free 800 number: 800-695-4045.

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Mrs Munro: I'm also wondering about the timing of the process itself. The brochure says that responses must be received by December 15. What happens if people can't respond by then?

Hon Mrs Cunningham: The December 15 date is being used as the cutoff point for preparing the progress report which the Premier will take with him to a meeting of first ministers in January, but the consultation process will continue into the new year and we look forward to receiving additional responses to that time.

In addition, we have a fully bilingual Web site at www.ontariospeaks.com. We have also sent copies of the French brochure to all officers of ACFO, l'Association canadienne-française de l'Ontario, and to French community and health centres across the province.

EDUCATION FINANCING

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Minister of Municipal Affairs. We've had many calls from reeves, wardens and mayors about how Bill 160 will be impacting on their business property taxes. The bill, we gather, is going to be pushed through this week. It will represent about \$3.6 billion of property taxes on businesses and municipalities, about 60% of

business taxes, and they are wondering what the impact will be on their businesses and their municipalities.

My question to the Minister of Municipal Affairs is this: What did you advocate on behalf of municipal affairs? Did you advocate that there would be a uniform mill rate on businesses in Ontario?

Hon Al Leach (Minister of Municipal Affairs and Housing): I'll refer that question to the Minister of Finance.

Interjections.

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): The member for Scarborough-Agincourt heard my response to his leader earlier in question period. We have committed to the businesses in Ontario that the total amount of money coming from businesses in the province will not go up. That is not to say that there won't be some impact on businesses, positive and negative, I suppose, from their point of view, on an individual basis. That's unavoidable when you're reforming the tax system, when you're introducing a matter of fairness and equity into the property tax system in the province.

But we are committing to those people. I understand that individual businesses and municipalities want to know the impact upon individual properties. As soon as the assessment information is complete, it will be relayed to municipalities across Ontario. We have committed that we will not raise the total amount of money being charged to businesses for education.

Mr Phillips: I hope the business community understands how difficult it is for us to deal logically — I'm used to making a business decision on the basis of information. What you've just told us today, Minister, is that the business community — you will ask us to pass a bill. We are going to be forced to pass a bill this week, I gather, which will have a profound impact on the businesses in Ontario. Some businesses are going to see dramatic increases, some decreases, we understand that, but you are going to force us to agree to pass a bill here which will have a huge impact on businesses and you're not prepared to tell us and, through us, the business community how it will impact. I gather you're saying that you need these powers to set different tax rates in different parts of a municipality, on different portions of a property's assessment, in different geographic areas within an assessment within a municipality.

My point is this: You have confirmed today there will be tax increases on business. Will you do what my leader asked before we pass the bill? You've confirmed there will be those increases. Will you table, before we pass Bill 160 —

The Speaker (Hon Chris Stockwell): Thank you, Minister.

Hon Mr Eves: I have not confirmed that there will be an increase in business taxes province-wide.

Interjections.

Hon Mr Eves: The total tax bill for businesses in Ontario will not go up one cent. I want to make that abundantly clear. I thought I made it clear earlier in question period.

Interjections.

Hon Mr Eves: Under the very government of which the member for Scarborough-Agincourt was a cabinet minister, they allowed fully 242 municipalities in Ontario to have public school education mill rate increases of 40% or more between 1985 and 1990. That is exactly what Bill 160 and Bill 149 are going to stop in Ontario. Property taxes for education purposes will be frozen for the 1998 year. As the Minister of Education has said, that is needed for the transition period, and after that, by the democratic and parliamentary process, we will be able to then talk about these rules.

The leader of the third party was talking about taxation without representation. I thought the 130 members in this place represented the people of the province.

MINISTRY ADVISERS

Mr Howard Hampton (Rainy River): To the Minister of Education and Training: Minister, last week you seemed to be pleased when some Catholic school trustees said they didn't think Bill 160 was as bad as everyone believed. You seemed to be quite pleased about that. I want to ask you today, will you confirm that lawyers Peter Lauwers and Paul Rouleau were retained by the Ministry of Education to assist in the development of Bill 104 and Bill 160? Will you also confirm that they are in fact the lawyers for the Ontario Separate School Trustees' Association and l'Association française des conseils scolaires de l'Ontario? Will you confirm that for us, Minister?

Hon David Johnson (Minister of Education and Training): The two individuals in question do advise the Ministry of Education on certain matters. Is the member opposite indicating that there is some wrongdoing? Is he prepared to make an allegation of some sort of wrongdoing?

Interjections.

The Speaker (Hon Chris Stockwell): Minister.

Hon David Johnson: The paper referred to, Destroying the Myths within the System, that had been perpetrated in part by the member opposite, is not from some trustees; it's from the Ontario Separate School Trustees' Association and represents their point of view.

I'm interested in hearing if the leader of the third party is indicating, in a somewhat slanderous fashion, that their position is based on anything other than their thoughts, their honest views in this matter. I'd be interested in the member standing up and making those allegations.

The Speaker: Minister, you cannot accuse another member of slandering. I would ask you to withdraw.

Hon David Johnson: I withdraw that, Mr Speaker.

Interjections.

The Speaker: Order. Supplementary.

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Mr Hampton: Simply this: I've already recited that with respect to pay equity your government felt that it was okay to breach the Constitution of Canada; with respect to a number of other labour rights, you feel it's okay for your government to breach international law; with respect to

the events at Ipperwash park, Amnesty International has to cite you as being in breach of the rule of law. I simply make the point that it would appear that you really don't care that much about breaching conflict of interest either. You as a government consider yourselves above the law. You don't feel that you have to follow the conventions of law or the conventions of democracy that apply to everyone else.

Minister, my question is this: Are you prepared to make full disclosure about the arrangements described by your predecessor John Snobelen in a letter to Mr Paul Cavalluzzo dated July 31, 1997? Are you prepared to make full disclosure around the employment relationships of Peter Lauwers and Paul Rouleau with your government, specifically with the Ministry of Education and Training, in connection with —

The Speaker: Thank you, Minister.

Hon David Johnson: There are very strict conflict-of-interest guidelines that govern these particular individuals and all circumstances around the input to this particular matter.

The Ontario Catholic School Trustees' Association looked at this issue honestly, looked at the myths involved. This was their honest opinion.

If the member opposite thinks this government is breaking any law, then I would encourage him, I would encourage any member of the general public to take the government to court.

Interjection.

The Speaker: I would caution the member for Brant-Haldimand, that's probably out of order. I ask you not to make those comments. Thank you, Minister.

Hon David Johnson: There will be challenges on Bill 160. There was the challenge on Bill 104. The challenge was unsuccessful. The unsuccessful challenge is being appealed. If the leader of the third party or anybody else thinks there's been any wrongdoing, then I would be the first one to encourage you, by all means, to challenge it. Take it to court. Prove your allegation. Unsubstantiated allegations are meaningless. Prove your allegations. Prove a conflict.

JUSTICE SYSTEM

Mr Jim Brown (Scarborough West): My question is to the Attorney General. Minister, I recently read an article in the publication City Journal by James Q. Wilson, a well-known criminologist in the United States. In this article Wilson noted that justice has to move swifter and more efficiently to be effective. In fact, he said that to get a change in behaviour, we must have fast justice. A child in a household who does something wrong usually doesn't wait 12 months for a curfew. My question to the minister is, what action has your ministry taken to combat slow justice and to cut court backlogs?

Hon Charles Harnick (Attorney General, minister responsible for native affairs): I appreciate the question from the member from Scarborough. As you're aware, we began a backlog blitz in our six most heavily builtup

regions in the province consisting of Scarborough, North York, Etobicoke, Newmarket, Brampton and Barrie.

These courts account for about 50% of the caseload in the province. Over the past year, judges, police, defence lawyers and ministry staff have worked together to open new courts, redeploy resources and change the way we manage the system.

I am pleased to report the blitz has worked very well. Overall, there has been a 16% decrease in the number of cases in our courts. The backlog has been reduced by about 8,000 cases, the first significant reduction in the backlog in years.

Mr Jim Brown: While the results are encouraging, we have to make sure we are not simply supplying short-term solutions to a long-term problem.

Interjections.

The Speaker (Hon Chris Stockwell): Order. Member for Scarborough West.

Mr Jim Brown: As you know, I come from a riding that contains a great deal of the crime we read about in the media. In fact the Metro East court offices which are located in my riding have had a problem with court backlogs for quite some time now. This situation has to stop so that justice is swift and effective. What are you going to do, Minister, to make sure our courts don't become backlogged in the future?

Hon Mr Harnick: I'd like to advise the member from Scarborough that in his own riding we have now reduced the backlog by about 28%. To ensure we don't have backlogs recurring, I have recently announced the creation of the Criminal Justice Review Committee, in conjunction with Chief Justice LeSage and Chief Judge Linden. We are taking a look at why cases take the length of time they do. We are taking a look at the trial process to find ways of ensuring that cases are moving at the right speed without sacrificing the quality of justice services.

We've added 35 crowns to the system. We are specializing in domestic violence courts and specialized prosecutions in that area, as well as increasing our ability to deal with cases involving gaming. We're also spending \$250 million on the construction of courts around the province to ensure justice services are available in a timely way around the province.

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EDUCATION REFORM

Mrs Sandra Pupatello (Windsor-Sandwich): My question is for the Minister of Education. I'd like you to explain the amendment you brought in this House regarding parent advisory councils and dropping the word "advisory." All we can think is that you will mandate councils to deliver some kind of service. You speak of being fair and equitable, but we know there are some schools that have a very active parent council and some that simply do not. What will you mandate that parent councils must do in their schools?

Hon David Johnson (Minister of Education and Training): I have no intention at this point to mandate

anything. The intention I have is to wait, as we've said we would do all along, for the Education Improvement Commission. It is studying this very situation.

The dropping of the word "advisory," I must say, was largely at the request of the Education Improvement Commission, which requested the word be dropped to allow for a full scope in terms of their study, their investigation and their report. I discussed this very matter with Mr Cooke and Ms Vanstone last week. They are proceeding in their review of the council. They will be reporting back in the spring. At that point I will pay very close attention to what they report and take the appropriate action at that time.

1450

Mrs Pupatello: In the heart of the city of Windsor we have one school where their parent council tries to be supportive. Unfortunately it does not raise any money. There is a large new immigrant population with a high unemployment rate, 28 different languages, the home language is not English, and they come from countries where it is simply not normal for parents to be involved in school. Most of the countries are those that suffer civil unrest. In south Windsor, the suburban part of the city of Windsor, parents have a choice of three different parent groups. Last year that group raised \$80,000. They have another parents' club where they can participate in fun fairs and school lunches, and the third that gets involved in political issues.

Minister, you have to acknowledge that there is a very different system out there, depending on where the school is and what kinds of parents can possibly become involved. Why did you drop the word "advisory" when you know full well that in some schools the parents simply don't have the capability today to provide the services you are now going to be mandate?

Hon David Johnson: I would say that's a somewhat belittling description of parents. All parents from all backgrounds, no matter what, want to be involved with the education of their children and all have different possibilities to be involved. In fact 95% of the schools in Ontario have councils at the present time.

It's a healthy thing to encourage parents, to encourage school councils to be involved in improving the quality of education in Ontario. That's what this government is attempting to do: by encouraging parents from all walks of life, whether they're new Canadians or Canadians who have been here for many years, to be involved, to assist their schools in improving the quality of education in the province. That's what it's all about. I think it's a very laudable objective.

PETITIONS

RÉFORME DU SYSTÈME D'ÉDUCATION

M. Gilles E. Morin (Carleton-Est) : J'ai ici 160 noms qui s'adressent à la Loi 160.

«Attendu que la qualité de nos perspectives d'avenir dépend des services offerts par notre réseau d'entraînement ;

«Attendu que les étudiants et les enseignants ne veulent pas que leur perspectives d'avenir soient amoindries pour des réductions d'impôt ;

«Attendu que les étudiants, les parents et les enseignants ne laisseront pas le gouvernement détruire leur réseau d'enseignement de l'Ontario ;

«Attendu qu'on ne peut améliorer les résultats en abaissant des normes ;

«Attendu que les étudiants, les parents et les enseignants veulent que l'on réinvestisse dans le financement de l'éducation plutôt que de le réduire ;

«Attendu que les étudiants, les parents et les enseignants ne vont pas faire marche arrière ;

«Il est résolu que nous, soussignataires de la pétition, demandons à l'Assemblée législative de retirer immédiatement le projet de loi 160 ; et

«Il est de plus résolu que les membres de l'Assemblée législative de l'Ontario instruisent le ministre de l'Éducation et de la Formation de faire son travail et de devenir un apprenant coopératif plutôt que d'imposer ses solutions qui ne fonctionneront pas aux étudiants, parents et enseignants de l'Ontario.»

J'y appose ma signature avec un énorme plaisir.

EDUCATION REFORM

Mr Bud Wildman (Algoma): I have a petition signed by 320 parents — not teachers, parents — from the city of Mississauga who are petitioning to ask the Legislature to vote No against Bill 160 because of its negative effect on education. They believe the process is undemocratic and that what is needed is consultation to come up with and implement a process which would actually improve the quality of education for students in Ontario.

I've signed the petition and I'm presenting it on behalf of the member for Mississauga South, who of course cannot present the petition.

HOSPITAL RESTRUCTURING

Mr Toby Barrett (Norfolk): I have been receiving petitions from two rural hospitals in Haldimand-Norfolk. These are from West Haldimand General Hospital.

"We, the undersigned, strongly oppose the recommendations made by the district health council in its July 1997 report about health care in our community.

"We object to fewer acute care beds at West Haldimand General Hospital; a limit of three days for patients at West Haldimand General Hospital; possible downgrading of the emergency department at West Haldimand General Hospital; the district health council's involvement in selecting hospital board members; and unequal budget reductions in all three Haldimand-Norfolk hospitals."

I sign my signature to this petition.

EDUCATION FINANCING

Mr Dwight Duncan (Windsor-Walkerville): I have a petition addressed to the Legislative Assembly of Ontario.

"Whereas education is our future; and

"Whereas students and teachers will not allow their futures to be sacrificed for tax cuts; and

"Whereas students, parents and teachers will not allow the government to bankrupt Ontario's education system; and

"Whereas you cannot improve achievement by lowering standards; and

"Whereas parents, students, teachers want reinvestment in education rather than a reduction in funding; and

"Whereas students, parents and teachers won't back down;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly to withdraw Bill 160 immediately; and

"Further, be it resolved that the Legislative Assembly of Ontario instruct the Minister of Education and Training to do his homework and be a cooperative learner rather than imposing his solution which won't work for the students, parents and teachers of Ontario."

I'm pleased to affix my signature to this petition.

EDUCATION REFORM

Mr Wayne Lessard (Windsor-Riverside): I have a petition from dozens of people from the Windsor area. It's a petition of non-confidence against this government with respect to Bill 160. It says:

"Whereas the government of Ontario has not listened to the public on Bill 160; and

"Whereas the government of Ontario has chosen to overtly deceive the people of Ontario as to the true objectives of Bill 160; and

"Whereas we, the people, believe that no government has a mandate to act in isolation of the wishes of the electorate of this province, and we have lost confidence in the government;

"We, the undersigned electors of Ontario, petition the Lieutenant Governor to dissolve the Legislature and call a general election forthwith."

I affix my name to that petition as well.

Mr Ron Johnson (Brantford): I have a petition signed by hundreds of parents in and outside of my riding which says:

"To the Legislative Assembly of Ontario:

"We, the undersigned, are strongly in favour of educational reform and we support the government's efforts through Bill 160 to initiate the changes that are needed to our education system."

Interjections.

The Deputy Speaker (Ms Marilyn Churley): Order.

Mr Ron Johnson: It gives me great pleasure to affix my signature.

EDUCATION FINANCING

Ms Annamarie Castrilli (Downsview): "To the Legislative Assembly of Ontario:

"Whereas education is our future; and

"Whereas students and teachers will not allow their futures to be sacrificed for tax cuts; and

"Whereas students, parents and teachers will not allow the government to bankrupt Ontario's education system; and

"Whereas you cannot improve achievement by lowering standards; and

"Whereas parents, students, teachers want reinvestment in education rather than a reduction in funding; and

"Whereas students, parents and teachers won't back down; and

"Whereas Ontario Liberal Leader Dalton McGuinty has pledged to repeal Bill 160;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly to withdraw Bill 160 immediately; and

"Further, be it resolved that the Legislative Assembly of Ontario instruct the Minister of Education and Training to do his homework and be a cooperative learner rather than imposing his solution which won't work for the students, parents and teachers of Ontario."

Thousands of my constituents in Downsview have signed this petition and I'm very pleased to add my signature.

FIRE IN HAMILTON

Mr David Christopherson (Hamilton Centre): I have a petition to the honourable Minister of Environment and Energy, Norm Sterling, and the Premier of Ontario.

"Whereas a fire at a PVC plastic vinyl plant located in the middle of one of Hamilton's residential areas burned for three days; and

"Whereas the city of Hamilton declared a state of emergency and called for a limited voluntary evacuation of several blocks around the site; and

"Whereas the burning of PVC results in the formation and release of toxic substances such as dioxins, as well as large quantities of heavy metals and other dangerous chemicals;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario to hold a full public inquiry on the Hamilton Plastimet fire; and

"Further, we, the undersigned, request that the Ministry of the Environment and the government of Ontario take responsibility for the immediate cleanup of the fire site."

I add my name to those of these Hamiltonians.

EDUCATION REFORM

Mr Tom Froese (St Catharines-Brock): I have a petition here that Ellen Murray wants me to present. She's a parent and a member of the parent council for consol-

dated public schools, and it has to do with Bill 160 and it's signed by a number of parents —

Interjections.

The Deputy Speaker (Ms Marilyn Churley): Order.

Mr John Gerretsen (Kingston and The Islands): What does it say, Tom?

Mr Froese: If you'd bear with me for a minute, I'll tell you what it says: They would like Bill 160 repealed.

1500

EDUCATION FINANCING

Mrs Lyn McLeod (Fort William): I have a petition to the Legislative Assembly of Ontario:

"Whereas education is our future; and

"Whereas students and teachers will not allow their futures to be sacrificed for tax cuts; and

"Whereas students, parents and teachers will not allow the government to bankrupt Ontario's education system; and

"Whereas you cannot improve achievement by lowering standards; and

"Whereas students, parents and teachers want reinvestment in education rather than a reduction in funding; and

"Whereas students, parents and teachers won't back down;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly to withdraw Bill 160 immediately; and

"Further, be it resolved that the Legislative Assembly of Ontario instruct the Minister of Education and Training to do his homework and be a cooperative learner rather than imposing his solution which won't work for the students, parents and teachers of Ontario."

I have in my hand petitions signed by 473 individuals. I have beside me five boxes with more petitions, and I would ask the Clerk to receive them all.

EDUCATION REFORM

Mr Peter Kormos (Welland-Thorold): I have a petition addressed to the Office of the Lieutenant Governor. It says:

"On Wednesday, November 12 of this year, the parent advisory council of Westlane Secondary School hosted an information session for the public concerning Bill 160. The group was addressed by school administrators, the chair of the Niagara South Board of Education, members of the OPSTF and Mr Maves and Mr Hudak, Conservative members of Parliament. A question-and-answer period followed, and as a result, the following petitions of non-confidence were signed by those present." It says:

"Whereas the government of Ontario has not listened to the public with respect to Bill 160; and

"Whereas the government of Ontario has chosen to overtly deceive the people of Ontario as to the true objectives of Bill 160; and

"Whereas we, the people, believe that no government has a mandate to act in isolation of the wishes of the elec-

torate of this province and we have lost confidence in this government,

"We, the undersigned electors of Ontario, petition the Lieutenant Governor to dissolve the Legislature and call a general election forthwith."

That is signed by hundreds and hundreds and hundreds of people from the Westlane Secondary School parent advisory council in Niagara Falls.

ROCK BAND

Mr John R. Baird (Nepean): I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas the rock band Marilyn Manson was permitted to play a concert at the Ottawa Congress Centre on Friday, August 1, 1997; and

"Whereas Marilyn Manson's wilful promotion of hatred, violence, immorality and obscenity has been linked to teen suicides and adolescent crimes across North America; and

"Whereas by allowing Marilyn Manson to perform, the Ottawa Congress Centre, a crown agency with a public mandate, helps to legitimize the band and its unethical messages; and

"Whereas the Ontario Court (General Division) has ruled that Marilyn Manson's music does not meet the definitions of obscenity or hate literature in the Criminal Code;

"We, the undersigned, petition the Legislative Assembly of Ontario to call on the Liberal government of Canada to amend the Criminal Code in order to ensure that Marilyn Manson and other people directing messages of hate and derision towards vulnerable children and youths are not permitted to perform in Canada, and to ensure that messages which offend the moral and ethical sensibilities of Ontarians are not given a voice at venues financed by the taxpayers of Ontario, including the Ottawa Congress Centre."

It is submitted by Lyn and Doug Smith of Nepean.

EDUCATION FINANCING

Mr John C. Cleary (Cornwall): I have a petition to the Legislative Assembly of Ontario.

"Whereas education is our future; and

"Whereas students and teachers will not allow their futures to be sacrificed for tax cuts; and

"Whereas students, parents and teachers will not allow the government to bankrupt Ontario's education system; and

"Whereas you cannot improve achievement by lowering standards; and

"Whereas students, parents and teachers want reinvestment in education rather than a reduction in funding; and

"Whereas students, parents and teachers won't back down;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly to withdraw Bill 160 immediately; and

"Further, be it resolved that the Legislative Assembly of Ontario instruct the Minister of Education and Training to do his homework and be a cooperative learner rather than imposing his solution which won't work for the students, parents and teachers of Ontario."

I have also signed that.

BEAR HUNTING

Mr Bud Wildman (Algoma): I have a petition addressed to the Parliament of Ontario regarding the black bear hunt in Ontario. It says:

"Whereas black bear populations in Ontario are healthy with between 75,000 and 100,000 animals and their numbers are stable or increasing in many areas of the province; and

"Whereas black bear hunting is enjoyed by over 20,000 hunters annually in Ontario and black bears are a well-managed renewable resource; and

"Whereas hunting regulations are based on sustained yield principles and all forms of hunting are needed to optimize the socioeconomic benefits associated with hunting; and

"Whereas the value of the spring bear hunt to tourist operators in northern Ontario is \$30 million annually, generating about 500 person-years of employment; and

"Whereas animal rights activists have launched a campaign of misinformation and emotional rhetoric to ban bear hunting and to end our hunting heritage in Ontario, ignoring the enormous impact this would have on the people of Ontario;

"We, the undersigned, petition the Parliament of Ontario as follows:

"That the Ontario government protect our hunting heritage and continue to support all current forms of black bear hunting."

ABORTION

Mr Dave Boushy (Sarnia): I have a petition, signed by about 200 people and delivered to me by R.H. Andres, that states as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Ontario health system is overburdened and unnecessary spending must be cut; and

"Whereas pregnancy is not a disease, injury or illness and abortions are not therapeutic procedures; and

"Whereas the vast majority of abortions are done for reasons of convenience or finance; and

"Whereas the province of Ontario has exclusive authority to determine what services will be insured; and

"Whereas the Canada Health Act does not require funding for elective procedures; and

"Whereas there is mounting evidence that abortion is in fact hazardous to women's health; and

"Whereas Ontario taxpayers funded over 45,000 abortions in 1993 at an estimated cost of \$25 million;

"Therefore we, the undersigned, petition the Legislature of Ontario to cease from providing any taxpayers' dollars for the performance of abortions."

OPPOSITION DAY

EDUCATION REFORM

The Deputy Speaker (Ms Marilyn Churley): I have to have unanimous consent for somebody to move this motion, given that the mover is not present in the chamber at the moment. Is that agreed? Agreed.

Mrs Lyn McLeod (Fort William): I move that whereas education is our future and whereas Bill 160 and funding cuts will compromise that future; and

Whereas the parents, teachers and students of Ontario have shown the government that they will not allow their futures to be sacrificed for tax cuts and will not allow the government to bankrupt Ontario's education system; and

Whereas you cannot improve achievement by lowering standards, cutting any more money from the education system or removing thousands of teachers from our schools and whereas students, parents, teachers want reinvestment in education rather than a reduction in funding; and

Whereas Ontario Liberal Leader Dalton McGuinty has pledged to repeal Bill 160 and restore partnership in education;

Therefore, be it resolved that this Legislature recognize that teachers play the most important role in our children's formal education; and

This Legislature calls on the Minister of Education, the Premier and the cabinet to back away from their plan to cut any more money from our schools and our children's education; and

This Legislature supports the Education Improvement Commission's finding that no more money should be cut from education and that any savings which can be found should be immediately reinvested into our schools; and

This Legislature understands that firing thousands of teachers and removing millions of dollars will increase class sizes, eliminate programs and reduce contact time between teachers and students, therefore destroying quality education rather than improving it; and

This Legislature believes a quality education is more important than a tax cut; and

This Legislature instruct the Minister of Education and Training to withdraw Bill 160.

1510

I rise in full support of the resolution and the principles of this resolution, the recognition that our teachers indeed play the most important role in our children's formal education, the demand that there be no more cuts to our schools because the cuts that the Harris government has already made, to the tune of almost \$1 billion, have been devastating to programs and to services that the children in our classrooms need, and the understanding that you

cannot improve education by letting go thousands of teachers and by cutting costs even further.

This is indeed what Bill 160 does. It does it directly with what is in the legislation and it does it indirectly with the power that is being given to the minister and to this cabinet, power being given to a government that is determined to cut costs in education in order to find the dollars it needs to pay for its tax cut, giving these powers to this government to cut education spending even more. It even gives this minister, this cabinet, the power to take over from school boards at a local level where trustees may be unwilling to sacrifice their students to this government's cost-cutting agenda.

Nobody should believe that having each teacher teach more minutes in our secondary schools each day is going to give students more time with their teachers. The government wants us to believe this is about students having more time with their teachers, but what they have put into law means simply fewer teachers will teach more students more classes and there will be less time for each teacher to work with individual students. It makes sense. I don't use words like "common sense" in this place any longer, but if you think about it, if you've got fewer teachers teaching more students, it means that each teacher will have less time with an individual student because every teacher will have more students. There's no other way it can work. There will be less counselling and less tutoring time and less time for marking essays, and our extracurricular programs may not survive at all.

Nor should anybody be under the illusion that the Harris government is going to lower class sizes with Bill 160. What they have put into law if this bill passes is the status quo in class sizes. They're freezing what exists now, and there isn't a parent in this province who doesn't worry about their children being in classes of 38 and 40 today. The government is making sure that's the average class size that stays in our classrooms by law.

When school boards are faced with having to enforce even the status quo in class sizes with reduced government funding when this government makes its cut, we are going to see school boards forced into gutting all the programs outside the kindergarten to grade 12 classroom, from junior kindergarten to adult education and from remedial support to library services.

Yet we see government ads that try to suggest that the government is taking over class size because of a concern that class size is increasing. You might actually think that if the government's taking over class size because it's worried about class sizes increasing, the government's planning to lower class size. That's what they would like people to think, but we know that Bill 160 is all about public relations, and even this attempt to make the public believe the government is acting to improve education by lowering class size is a myth that is not borne out by what they have actually put into this bill.

When the cuts start to hit the students in the classroom, the government can say: "It isn't us. We put class sizes right into law. The boards just aren't dealing with the waste; they're making bad decisions; they're not manag-

ing the finances properly." After all, the Minister of Education and the Premier have said we can find the \$700 million we're planning to take out of education by just cutting waste.

If the school boards actually cut programs that children need, then the Minister of Education will say, "My goodness, the school boards can't handle their finances very well, so I will step in and I will fire the school board and I will take control," because Bill 160 gives the Minister of Education exactly that power. Then he can choose to hand the management over to parent councils, because they are no longer required to be advisory only.

You have to remember that this is part 2 of the government's attack on local governance in education. Part 1 was Bill 104, in which this government made the role of school trustees virtually an impossible one. They are going to be given all the blame for not being able to meet the needs of the students when the government funding proves to be completely inadequate, and they will be able to do nothing to respond to the concerns of parents and the needs of the students in their area. If they should run a deficit in their effort to try and meet those needs, they can be fired, if they haven't already resigned.

Remember too that this government is acting on the advice of the minority of radical reformers and, we learned today, on the advice of David Cooke and Ann Vanstone, his appointed heads of the Education Improvement Commission, who believe, it seems, that Bill 160 doesn't go far enough to destroy local governance and who want boards to be abolished outright. That's what the radical minority are asking this government to do.

I think the government thinks that taking over boards because they can't manage their finances would be a fast, non-legislative and now legal way to take over total control of education. This begins to make charter schools not the exception, not the opening up of alternatives within a strong, publicly funded education system; it makes parent management of schools the only alternative, because boards have been taken out of the picture. This is exactly the opposite of what every parent council has asked for. Without question it will open the door wide to multi-tiered education.

The irony in all of this — maybe not the irony; it's a deliberate attempt of this government — is that they will never have to come back to this Legislature again to achieve the goal they had from the very beginning, and their goal is nothing less than the outright privatization of our publicly funded education system. Bill 160 opens the door for that to be done by ministerial fiat.

Madam Speaker, I had the opportunity on Friday to speak with representatives of my parent councils in Thunder Bay. I'm going to ask my government whip to give me some indication of how much time you would like me to speak, because what I have in front of me are some of the letters, some of the petitions that have been made by parent councils in pleading with the government not to make them other than advisory.

I would like particularly to quote one of the statements that was made by parent council representatives on behalf

of all of the elementary and secondary school parent councils in Thunder Bay. They said clearly to the Minister of Education, "You created these councils; now listen to what we are saying." That's the message we've heard from parent councils right across this province, without exception. Representatives of parent councils in the hearings on Bill 104 and on Bill 160 said: "Let us be involved with our children's education. That's what we want to do. But we do not want to take over the management of our schools. We want to keep our local boards; we want to keep our local governance."

We are being flooded with letters from parents not just in my own riding, letters from students, as well as letters from concerned teachers. We have letters like this one from David Workman, who says:

"I feel that in a modern society, in which we live today, that the quality of education provided to our students should be our number one concern. Cuts designed to gain control of the education system do not encompass the needs of individual students."

When people say to the government, "We are concerned about your Bill 160," it is because they are concerned that this bill is purely and simply a way for this government to cut more dollars out of education in order to pay for its tax cut. Parents and teachers and students know that our publicly funded education system cannot survive more cuts, because we're not able to meet the needs of our students with the cuts that have been made today.

Another letter, again from a parent in my own riding:

"Dear Mr Mike Harris:

"We do not agree with Bill 160 as it is. It's okay to change, as change is necessary, but your method of dictatorship is not the way to go. We the residents of Ontario no longer have any say as to suggest what could be good for us — it's your way or no way.

"Money is mentioned many times in Bill 160, but unfortunately curriculum is not found anywhere — is this bill just about money or what is really good and needed for our children's education?"

The verdict is in. Look at Bill 160. You won't find curriculum, you won't find quality, you won't find testing. All you will find is a capacity for government to take control so that they can cut costs. Bill 160 is all about control and it is all about money.

1520

Here's a letter from Hyde Park school. It's their council's concerns with Bill 160:

"We believe that the provincial government must not sacrifice our children's education and future for tax savings. Hyde Park school council does not support Bill 160 as it stands. We do believe that education reform and evolution in the entire education system is needed. That would involve a process that would include all parties with a stake in education and not just a few individuals with a particular agenda. Gutting budgets and centralizing control to a few non-elected people is not the way to change our education system."

Those are just a small sampling of the letters that came from parent council representatives in my own riding in Thunder Bay, and they echo the concerns that we heard from parent councils in all of the hearings on Bill 160. Then the government made Bill 160 even worse for parent councils, and now parent councils are ready to resign in protest. But those parents who know that their involvement is needed may well stay on in order to fight this government and its attack on the classroom that their children need so badly.

There is an outpouring of concern from people right across this province. We have had, as I've indicated earlier today, petitions with tens of thousands of signatures from concerned citizens. We've had letters pouring in by the hundreds. With these last few minutes I'm simply going to try and give a sample of what we're getting from concerned people across the province.

On Thursday I had petitions that were brought in by some 7,800 residents of the region of Waterloo. They tell us that the petition started only 10 days before, the modest expression of concern by an individual who called on a few concerned friends. The response was astonishing. Almost 200 people from many different walks of life returned petition forms that they took from door to door and circulated at their places of work. They believe that education represents the future. They believe that Bill 160 will lower the quality of education and that the objective of the bill is to cut funding, which will result in a system with fewer qualified teachers, fewer resources and programs, unqualified instructors in the classroom and ultimately larger classes.

I have a letter from Sarah Dörner, who is a constituent in the Guelph riding, where hundreds of people protested on Friday. This is a letter from a graduate in engineering from the University of Guelph, who says:

"I am proud to live in a democracy, which is so easy to take for granted. I have been reading a variety of sources regarding Bill 160. As a young adult in Ontario, I must say that I am not only concerned about the bill, I am troubled about the future of our democracy.

"From your words in the last few weeks" — this is a letter to the Honourable David Johnson — "it is my understanding that the Progressive Conservative Party of Ontario believes that since it has been elected in a democratic process, it is no longer necessary to listen to the people of Ontario. Contrary to the belief of your party, democracy does not end once the last ballot has been cast."

Here's a letter from Kevin Teggart, who is "a 13-year-old kid," he says, "but I do know a tad on what Bill 160 is all about. Like for example, I do not understand how taking \$600 million out of the school system could possibly make it better for me or the teachers. Also if you take away the teachers' power and give it to the government, I can already see a number of problems with that, one of them being the decisions are all being made in the government's office and not down in the schools with the teachers and parents where the people of the town can have some input."

Another letter from a student, who says, "I do not want you to pass Bill 160," and has some good advice for the Minister of Education, and who ends by saying, "We are the future generation of the country."

A loyal Conservative — in fact, described as one of the Hamilton-Wentworth area's most loyal Conservatives, Anne Jones — says she disagrees with the closed-door approach taken by the Harris government because decisions regarding education are being made without any regard to overwhelming public opinion by a small group of people in Toronto.

The letters go on, and I end with just one, a statement released by the justice and peace commission of the Roman Catholic archdiocese of Kingston. I can't read all the letter in the time that we have, but I want to just indicate that they say, as members of the justice and peace commission of the archdiocese of Kingston, they wish to express their appreciation and gratitude to all teachers, boards and others who succeeded in focusing public opinion in Ontario on the dangerous provisions of Bill 160.

"It is a principle of Christian social ethics that each group or institution in society must have the freedom and the means to do what it can best do for itself, without its activity being taken over by a higher body or level of government. Only when particular groups or institutions are unable or unwilling to fulfil their role in society should a higher level of government then intervene. In our judgement, Bill 160 violates this principle...."

That's a small sample of the outpouring of concern, an outpouring of concern and protest against this government's attack on education that I believe is unprecedented in this province. It follows the unprecedented action of 126,000 teachers who were prepared to defend public education at considerable personal risk and with personal sacrifice.

This government has launched an attack on one of our most dearly held values. The concern will not go away, as the government hopes, when they ram through Bill 160 because people across this province are aroused. They are not just going to express concern, they are going to do everything in their power to fight back. They will not go away. They will do everything they can, as we will, to defend public education in this province.

The Deputy Speaker: Further debate?

Mr Bud Wildman (Algoma): I rise to support the resolution brought forward by the official opposition with regard to Bill 160 and the difficulties that we face in this province thanks to this government's anti-education agenda. I think it's significant that the royal commission on education that was appointed by our government described teachers as the heroes of the education system. This government has attempted to turn teachers into villains.

The government intentionally tried to target teachers. They miscalculated. The government believed that teachers were an easy target; that they would be able to mobilize public opinion against the teachers and hide in a barrage of anti-teacher rhetoric the significant changes

that they intend to make in education which will harm the quality of education for students. It didn't work. The reason it didn't work is because the teachers were very successful in mobilizing public opinion in support of quality education in this province.

It also didn't work because very early in this process, in the time of the controversy and discussions between government and the teachers, the deputy minister's performance contract was published and that leaked document showed that the provincial government, despite its denials, intends to take somewhere in the neighbourhood of \$700 million out of education, over and above the \$1 billion it has already taken out of classroom education in this province.

Up until that time the Minister of Education and Training was denying that the government intended to take more money out of classroom education. After the publication of that document the Premier had to acknowledge that this government intends to take \$700 million at least — somewhere between \$500 million and \$700 million. The only way that can be done is by cutting staff, because 70% of the education budget pays salaries, and the only way that any government could save that kind of money from education is by removing teachers. The previous Minister of Education and Training admitted that the government believes there will be 4,200 fewer teaching positions in Ontario as a result of the changes in Bill 160.

The teachers' federations calculated somewhere around 10,000 fewer teachers' position. I suspect the number is somewhere in between, 6,000 or 8,000 fewer teachers. Yet this government tries to pretend that this will mean an improvement in the quality of education: having fewer teachers teaching more students for a longer period of time is going to improve the quality of education; having less time for preparation by individual teachers will improve the quality of education for students.

How ridiculous. The equation doesn't work. The government can't take hundreds of millions dollars more out of education, it can't eliminate teaching positions, it can't eliminate time for teachers to prepare for their classes, to do the marking, to give students remedial assistance, to contact other teachers and parents and support workers to assist students who are having difficulty — the government can't do all of that and improve the quality of education.

1530

The public isn't gullible. The public understands it and that's why, despite the fact that going into the disruption in classes there was something like a little over 50% of the population supporting the government, coming out of the political protest by the teachers across this province, rank-and-file teachers from every part of the province, from every school in the province, Catholic and public, over 60% of the population now supports the teachers' position in defence of public education against the attacks of this government.

The current Minister of Education and Training has admitted there will be 7,500 fewer teachers' positions as a result of the bill and the amendments the government has

introduced. While we know this government intends to get the money out — that's what this is about. It's not about quality education. In Bill 160 there are many references to money, to funding, to finances, and no references to quality education, not one, and that says it all.

But this is about more than just quality of education, important as that is to all of us in this province. The whole argument and controversy around Bill 160 has exposed this government for what it really is: for its attitudes against democracy, the basic democratic process; for its view that the public need not be consulted, that the people who know education, the professionals, the teachers and the other professionals, the support staff, the trustees, should not be consulted about education; that parents shouldn't be consulted about education; that students shouldn't be consulted about education; but even more than that, that the members of this Legislature shouldn't be consulted and shouldn't be able to debate change in education.

This government essentially believes that the Legislature, the democratic process, is a nuisance. It slows things down. It's messy. It involves controversy, disagreement, argument. It's far easier and far more efficient, as far as the government is concerned, to simply allow these decisions to be made by members of the government and the bureaucracy behind closed doors and just have them issue edicts which must be supported and followed by the people who are involved in the education system.

Unfortunately, this kind of approach, of rule by decree, is rejected by the public and that's why the government is in so much trouble. The public believes, the parents believe, the members of the community believe that they all help to fund the education system and that they all must have a say in how that education system is going to serve the needs of the students of Ontario and the communities across this province. That's why the government is in such a rush. That's why the government is determined to pass Bill 160 as soon as possible, to try to get it out of its way and move on to other things.

I predict that even if the government is successful in forcing this bill through against the wishes of the majority of this province, against the wishes of a demoralized teaching profession, against the wishes of most of the boards of this province, against the wishes of the parents and against the wishes of students, the issue is not going to go away. It's going to dog this government and continue to dog this government as long as it remains in power. We're going to do everything we can to remind the public, and it's not going to take a lot because the public is mobilized, that this government has ignored the wishes of the population, the majority of the people of Ontario, and run roughshod over the needs of our students in education.

I read with interest a paper by a Mr D.A. Franks, an educator who has particular expertise in computerization. He has worked on projects for the Ministry of Education and Training and boards in this province. He published a paper and I'd just like to refer briefly to the comments Mr Franks makes in his paper. He says:

"...there is one point that everyone seems to have missed. Under Bill 160, their opinions will from now on have no voice. It is totally irrelevant what their stance on education reform is — whether they think the quality of education is the pits; or whether it simply needs fine-tuning. If Bill 160 is passed in its current form, all decisions regarding education will be made without any further public debate or input. If you feel strongly on any issue regarding education, you have to be against Bill 160. This is the last time your opinion will either be sought, or listened to.

"Let there be no mistake, the entire purpose of Bill 160 is not about the quality of education; nor about teacher prep time; nor of hours of instruction per year; nor of how hard teachers actually work or don't work; nor of how effective they are. It is not about curriculum reform; nor about improving the standing of Ontario's students. It is not about taking an additional billion dollars or so out of the budget. All of these issues can be dealt with under the current legislation (as they have always been in the past)."

We all know this government took \$1 billion out of education last year without bringing in this kind of comprehensive legislation.

Mr Franks goes on to say:

"The purpose of Bill 160 is to completely silence all further public input and debate on any matter regarding education in Ontario. It is designed to squash all public dissent regarding school closings; the offering of junior kindergarten; the transferring of schools between the Catholic, public and private systems; the school-leaving age; and about parental rights regarding how, where, and by whom their disabled child is taught. It is about silencing all of the recent court cases that have been fought on these issues. It is about obliterating the rights of the individual, including the right of the individual to seek redress through the courts. It is about the complete destruction of the democratic process as we know it in Ontario."

As Mr Franks is pointing out, this legislation flies in the face of almost all accepted democratic processes that we believe in in this province and that we have come to value as part of our democratic system.

Can you imagine a bill that not only gives enormous power to the cabinet to make decisions behind closed doors, not only about the quality of education and about what teachers must or must not do but also about taxation for properties across Ontario, but also says in certain parts of the bill that decisions made under the provisions of the act are not testable in court.

Surely that is basic to our system of government since the changes in the Constitution and the passage of the Charter of Rights and Freedoms as part of the Canadian Constitution, the fundamental law of this country. It is basic that if someone believes that a law passed by any legislative body in this province somehow challenges or violates the Constitution, that it may be *ultra vires*, they have the right to go to court and test it. That is basic. Yet this legislation says that in certain provisions the decisions of the minister cannot be challenged in the courts. As a matter of fact, it says in other parts of the legislation that

if a board of education goes into default financially because the board does not implement the decisions of the ministry, the minister can unilaterally fire the whole board or certain trustees on that board if they are in default. The minister himself has said that.

Bill 160 makes it clear that a cabinet, in full secrecy, has all the decision-making power and there is no recourse whatsoever for the public to challenge any of their decisions, either through the elected government and the Legislature or the courts, as Mr Franks says.

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Mr Franks goes on. He says: "Make no mistake about it — every aspect of education in Ontario comes under Bill 160. Everything that was taken for granted before, every right, every rule, every procedure, every policy, can no longer be assumed to be the same under this omnibus bill."

If this bill is passed, as Mr Franks says, you forever forfeit the right to have your opinion heard on any matter related to education. He then says: "No wonder Justice MacPherson made a direct reference to the Constitution in his ruling. Never before has a single bill so trampled on the rights of the public to seek redress through the courts in a matter that so profoundly affects all of us."

Mr Franks says he firmly believes that this bill is not what the people of Ontario want, it is not what every citizen of Ontario who believes in democracy wants, and that is why they must oppose Bill 160. I congratulate Mr Franks for making his views public through his paper.

Fundamentally, this legislation is about the democratic process. It is a defining moment for this government. This government does not believe in democracy. This government does not believe in consultation. It doesn't believe in consulting with the public, hearing what the public thinks, trying to bring people together, form a coalition of views and to respond to the views of the public and then develop legislation and pass it through debate in the Legislature — true exchange of views. Rather, this government thinks that process takes too long, involves too much controversy and is unnecessary. That is what's scary about this government.

I never thought I would have a situation in this province when I would be able to stand in this place and say that I am dealing with a government that does not accept the basic fundamental views that all of us, I thought, took for granted about our political system in Ontario, in Canada and in the British Commonwealth. I regret that. I very much regret that we have come to a point in this province where a government feels it can run roughshod over the views of the public and when asked about why it is doing it often denies it, but on other occasions says: "We did consult. We consulted in the election campaign. We don't need to consult now, after the election day in 1995. We did it during the election campaign and before that. No need for consultation." Or they will say: "The people who oppose this are simply in favour of the status quo. They're not with the program. They're not part of the revolution. So why should we listen to them?"

That harkens back to the kind of Maoist view that those who disagree are somehow enemies of the people and therefore are not part of the people and shouldn't be listened to.

I never thought we'd come to the day when we would have a government in this province that would say not just teachers' federations but anybody who disagrees with them somehow is irrelevant because they don't count, they're not important, they're not part of society, they shouldn't be able to express their views because they are counter to the view the government takes. Just because the government won a majority in the Legislature, those people who disagree with it for the next four or five years just keep their mouths shut and put up with whatever the government does, because that's how this government operates. The teachers didn't put up with that. They educated the public.

Now we have a situation where parents across this province are organizing to protect the public education system in this province, to protect the quality of education for their students. This government has created a firestorm and it doesn't know how to deal with it. It doesn't know how to put it out.

It must be very uncomfortable being a member of the back bench in this government these days. Every time you go home there are people phoning you, phoning your constituency office, sending you faxes, demonstrating out in front of your constituency offices. It's awful to have to listen to the public when they don't agree with you, isn't it? Well, that's what democracy is about.

Democracy is about ensuring that the government is responsive to the needs of the views of the people. Democracy is not just about election campaigns; it's not just about how a government gets elected. Democracy is about how a government governs. Democracy is not simply about the choice during an election campaign on election day and the casting of ballots. That's a very important part of democracy, but far more important in a democracy is how a majority government governs after it's elected.

Does it remain responsive to the needs and concerns and views of the public? This government is not doing that. This government is determined to pass Bill 160 over the objections of the majority of the people in this province. That is why it is unacceptable.

I laud the teachers for going out on their protest, for giving up their pay in order to educate the public. I hope it means they also educated at least some of the members of this governing party. If they are not willing to respond to the needs of the public, they don't deserve to be the government in a democratic system and they deserve to lose the next time around. The unfortunate thing is, in the meantime they can do a tremendous amount of damage to the public education system in this province, damage that will be hard to repair.

But I can assure you that if we are fortunate enough to win government next time around, we will repeal Bill 160 and we will begin on a consultative process to rebuild the education system based on the recommendations of the royal commission, rather than cherry-picking a few things

and operating in a way to ensure that the government can get as much money out of the system as possible.

I urge all members of the House to support this resolution. I congratulate the leader of the official opposition for introducing it.

Mr Bruce Smith (Middlesex): It's certainly a pleasure to add my comments to today's debate and speak in opposition to the motion as presented by the member for Ottawa South.

I think very critically and very importantly, it must be realized that education is our future. Certainly it's from that perspective that the government approaches with very serious consideration the changes that are anticipated from a governance curriculum and financial perspective.

The debate is all about quality of education, and certainly Bill 160 is captured in that. It's about doing things differently, about improving the effectiveness and accountability of Ontario's education system. It's not just about change for the present generation of students but it's also about change for future generations of students in this province. I think we need to reflect where we've been with respect to education reform, the reports, the some 24 reviews, the commissions, the fact-finding reports that have been conducted over a 40-year period.

When the member for Algoma suggests that there hasn't been discussion, that this government does not want to listen, it's simply not the case. This government is about acting on the many reviews and studies that have been completed with respect to education reform in this province. It's not about silencing people. It's about moving ahead.

Very clearly over the course of the public consultations we heard about regulatory power: regulation versus legislation. We've captured those concerns of the public who expressed genuine discontent with respect to the extent to which regulatory power had been granted to the minister. That has been moved into legislation. That debate can continue as it applies to class size, instructional day and differentiated staffing. Certainly the opportunity continues and it will present itself for future debate with this issue.

1550

Perhaps one of the most important aspects in the next short while will be the discussions the Education Improvement Commission undertakes with parents in this province. Clearly they are a critical, important point of the education system, one that must be fostered, and their viewpoint is welcomed, and that consultation will take place in the future.

To suggest the debate has expired or has exhausted itself — whether it's here in this Legislature, whether it's with parents province-wide, whether it's with trustees, that debate has occurred recently in terms of the new roles and responsibilities. We heard quite clearly from the Catholic trustees' association about their viewpoint and their optimism about participating and being a trustee in the education system into the future. Very clearly they have articulated that during the public meetings with respect to education in this province.

This bill, this motion, is about a comprehensive plan this government has, one that deals with governance; one that, as I indicated, deals with curriculum and the quality initiatives this government has undertaken to date.

Equally important with respect to Bill 160 is the establishment of a new, fair finance system for education. The system, once established, will provide equal opportunities for all students in this province, whether you live in Thunder Bay, Ottawa, London or Windsor. We are finally moving to a system that ensures that those students have the same access to resources that their colleagues and counterparts do in other parts of the province. That is critically important not only to the students and to their achievement levels, but also to the classroom teacher, who very clearly needs the support and resources to provide the quality education that so many of our teachers provide on a day-to-day basis.

The comprehensive package we've seen, in addition to the quality initiatives started with Bill 34 — some time ago it seems, but Bill 34 was the start, where we established a College of Teachers in this province. We also established the Education Quality and Accountability Office under Bill 34. I might add that notwithstanding the criticism that teachers have not been involved in the process, it's important to remain mindful that teachers were in fact involved in that process and clearly indicated to the office in exit interviews that they considered that process one of the most beneficial and rewarding educational experiences to date. So there have been some very good things that have happened.

Bill 34 was followed by Bill 104, the Fewer School Boards Act, which was clearly the start of the process where we see a redefinition, a shift away from administration and a shift to classroom resources and a focus on students, fewer trustees, fewer school boards and a fair funding model for all students in this province.

That's what is captured in the comprehensive package of education reforms the Minister of Education, both current and past, has presented to this Legislature and presented to teaching professionals across this province.

At the core of our reforms is a determination to create a system in which every student has the opportunity to succeed both in the classroom and in the future. I admit this is an ambitious goal, but it is a very necessary goal that must be pursued. As well, it's a goal that is clearly essential and one that's realistic in terms of its objectives.

As I've indicated, our focus is on students and on learning and teaching in the classroom. We are well along the road to fundamental reform in these strategic areas. A new, challenging curriculum, a streamlined system of educational governance and a new, student-focused funding model — all three areas share a common theme: the need to focus our system's energies on the most important aspect of the education system. That aspect is creating a learning process that is dynamic, not only for the student but for the teacher as well. It is that partnership, that marriage between teacher and student, that will result in the student achievement levels that we anticipate, that all people anticipate, our students will reach in the future.

That's a relationship that needs to be strengthened with the interaction of others, including parents and the wider community within which our school communities are situated. One of the transitions our education system is making is towards a new, four-way partnership that includes teachers, students, parents and the community.

Over the last month and a half or so, we've heard a lot in terms of the debate between regulation and legislation. The issue of unprecedented powers -- which I would suggest are not there -- and the issues of class size, instructional time, differentiated staffing and the King Henry VIII clause have all been addressed, either by moving from regulation to statute or, in the case of the King Henry VIII clause, by removing it in its entirety from the legislation.

It's about accountability. As part of that reviewable process, we've heard again today the member for Algoma speaking of the non-reviewable component with respect to the Education Improvement Commission. Very clearly this bill states that should that commission act outside its parameters, those practices would be reviewable before a court. I ask the members who preceded me in this Legislature, both in the Liberal Party and New Democratic Party, if it was such a significant issue, why did you not remedy those powers that currently exist under the labour relations board or those powers that currently exist within the Education Relations Commission? Why did you not take the leadership to remove those powers? Those powers have essentially been there since 1950 and 1975 respectively. Your opportunity was there. You missed it or you perhaps chose not to do it. I'm not going to debate that today, but that was an opportunity you had.

Very clearly, from my perspective, I do not think it's unreasonable to expect trustees who are charged with public moneys and the distribution of those moneys to be subject to any fewer criteria in terms of accountability that those currently applied to municipal councillors in this province. That's the parallel we're making here. It's not one fitting against the other; it's about bringing together a process that has been in place for municipal governments for some time and providing the same framework as it applies to school board trustees. Parents in this province have said to this government that they want a more accountable and streamlined system. This is but one measure that allows for that accountability to materialize, and I might add, one that's very consistent with the Municipal Affairs Act that applies to municipal councillors across the province.

We've heard a lot about centralization, and clearly the centralization process is not unique to Ontario. There are examples in British Columbia, Alberta, New Brunswick and Prince Edward Island. About a month and a half ago, I had the pleasure of representing the Minister of Education and Training in Saskatoon among his colleagues, other ministers of education from the provinces. While I don't want to be critical of the system, as we went around the table of other ministers of education, when it came to Ontario's opportunity to speak, I was at a loss for words. Other provinces have provided leadership.

This process, this comprehensive package we have, is about bringing us up to speed in terms of where we need to be both as a system and in terms of providing the resources that students need in this province. It was a very telling experience for me, because you always question -- any normal person will question -- whether or not you're doing right. But it was that experience in Saskatoon that made it very clear to me that this is the right direction to go, that we should not be ashamed of putting ourselves on the same platform as Alberta, British Columbia, Manitoba, Saskatchewan, New Brunswick and Prince Edward Island. Changes are needed. Governments of all different political stripes have made the tough and necessary decisions with respect to education reform.

Bill 160 should not be looked at in isolation with respect to the quality initiatives the minister has undertaken to date as well as those other initiatives that have been contained in legislation preceding this particular bill.

Clearly it's time for action. It's time to build a system that meets students' needs for a quality education. It's time to make Ontario's publicly funded school system more open and accountable; open and accountable for parents, students and taxpayers. The government has a plan that will give our students the knowledge, the skills and expertise they need to succeed in a global economy.

1600

Mr Rick Bartolucci (Sudbury): I'm pleased to rise and speak for a few moments in support of my leader's motion today. Not only will I rely on my experience as a parent, but I hope I will be able to share some insight after spending 30 years as a teacher, vice-principal or principal. I'll also rely on some of the public presentations on Bill 160 that took place in Sault Ste Marie, in particular the presentation by Wendy Gauthier from Manitoulin and Vincent Greco from Sault Ste Marie. I'll also be referring, as a supportive document, to the study done by Dr David Ireland with regard to Ontario student performance on international testing. I'll also refer to the document from the Ontario Catholic School Trustees' Association which this government has referred to so often.

I continue to have deep concerns and fears with the direction this government has chosen regarding educational reform and, in particular, Bill 160. The first is rooted in the very nature of the legislation entitled Bill 160. As we all believe, ours is a democratic society. Bill 160 moves very deliberately and dangerously away from the ideals of democracy by vesting within the minister the power to put into law changes to education regulations without debate and without appeal.

Whether those decisions are good or bad is irrelevant. There are no checks and there is no balance. We cannot risk having any political group, simply on the basis of being elected, find themselves free to change and enact laws independent of legitimate public debate.

It has been said that power corrupts and absolute power corrupts absolutely. The government's educational reform, especially Bill 160, gives the minister power far beyond the healthy limits of good government policy and action. Of concern to me and shared by most of the people who

made public presentations is the absence of fair and deep analysis with regard to the impact of this legislation.

The issue of removing principals and vice-principals from their federation is a perfect example. The government, by its own admission, has not studied the serious effects this will have on learning, on the students' overall growth and on the collaborative approach necessary to achieve the end we all want for students.

By its own admission, both here in the Legislature and clause-by-clause, but also in estimates, the government has admitted that the removal of principals and vice-principals from the bargaining unit is simply being done because the principals and vice-principals chose to walk with their fellow professionals as a form of political protest. Every partner in education has told the Minister of Education that removal of principals and vice-principals from the —

Mr Wayne Wettlaufer (Kitchener): On a point of order, Madam Speaker: I don't want to contradict the member speaking, but what was said in estimates committee, and I was there, is not what he said.

The Deputy Speaker: Member for Kitchener, you cannot correct the record. You may have an opportunity to speak later, but you can't do that. Member for Sudbury.

Mr Bartolucci: If the member gets the Hansard he will find that everything I've said is absolutely correct. Every partner in education has told the minister and the government that removing these administrators from the ranks of teachers is wrong. Students have told them, parents have told them and parent councils have told them. Parent councils have even gone to the extent of resigning over this particular aspect. Teachers have told them and principals and vice-principals have told them. The former Minister of Education said they should be within the bargaining unit. The present Minister of Health, who knows something about education, has said they should remain within the bargaining unit and trustees have told them this move is wrong.

We have heard from associate professors from the York school of business, one of the most reputable schools of business in the world, which has suggested that the business approach is wrong in education and that principals and vice-principals should not be removed.

Even the Ontario Catholic School Trustees' Association has stated that the decision to remove principals and vice-principals from the bargaining unit is unnecessary and will be viewed as vindictive and punitive. Yet, based on no clear or definitive analysis, this government blindly continues to say that this attempt is good, that it will avoid conflict of interest.

In my 22 years as an administrator in several different schools and several different jurisdictions, I have never had a conflict of interest. Administrators then, now and always will act in the best interests of students and that argument that the minister uses, the only argument the minister uses, has no credibility at all.

What you will see, though, is chaos in the system. You will see that because school administrators have no alternative except to submit their resignations. They will sub-

mit their resignations because this new reality doesn't understand the role of principals and vice-principals. I ask rhetorically: How can that be good for education and how can that be good for kids?

The need for educational reform and for Bill 160 has been cultivated by the government, largely by claiming that our students have not been performing well on national and international tests. There are serious issues in the manner the government has shown which is a manipulative one with regard to these tests.

For example, in the pamphlet *Putting Kids First* it only reports the province's standing to the extent it suits its own purposes, cutting off the balance of the chart which showed that Ontario's students finished ahead of students of students in 27 other provinces or countries, including the United States, Great Britain and Germany. The government didn't tell you that on the practical tests done internationally Ontario scored the highest of any other jurisdiction tested.

During estimates, Mr Doyle, the Conservative member from Wentworth East, asked about these results and he was effectively brushed off by the Minister of Education and his bureaucratic staff. I implore every government member to read the study by Dr David Ireland, which I have supplied to you in your mailboxes today. Before we condemn our teachers, our students, our parents and our system, we should consider his findings. We have far more to be pleased with than we do to be ashamed of.

Honest governments don't distort information to justify its initiatives. An honest government would not proceed with legislation based on distortions. One is reminded of what Thomas Jefferson once uttered: "Error solely needs the support of government. Truth can stand by itself."

I will summarize by saying that change is not my concern. Teachers have been and always will be open to change and live with change, for our students' needs are constantly changing. But poorly thought-out change is disastrous for students. This government has repeatedly criticized the former NDP government for their direction in education. Yet it hired the NDP architect of their change, David Cooke, to be this government's agent of change. No matter how you view it, we have all seen the huge black and yellow signs that say, "Mike Harris plus David Cooke equals lousy education."

Can we blame the partners in education for being suspect of a government that criticizes a former government and then hires the man they criticized the most? You wonder why people are cynical when it comes to politics.

I am also a little frustrated as well with the tricks some political parties are doing in order to attract political gain. I question why an opposition party, a third party, would buy into the government's agenda on referendum to secure political support. Did the members of the third party tell the people this past weekend that the government will be the sole people to decide the question on the referendum? Did the third party tell the people that the government will be able to spend enormous amounts of money in advertising the referendum, if it ever took place? We all know it won't.

I may be growing cynical. I used to be the most positive guy in the world, but I am getting a little frustrated about what a government based on ideology and others based on political gain are trying to do with our kids and our kids' futures. That's why I ask that you vote for this motion. Kill Bill 160, because at the end of the day, regardless of the ideology, regardless of the political gain, we should be talking about what's best for the future of our kids. If at the very end you choose to defeat the motion, remember, government members, that the operation may have been a success but the patient died.

1610

Mr Tony Martin (Sault Ste Marie): I appreciate the opportunity this afternoon to put a few thoughts on the record re this very important piece of legislation that we confront or that confronts us, that confronts everybody who considers Ontario home, particularly those who are involved directly in the delivery of education in the province.

I take my job in this place quite seriously, I work hard at it, and when I get an opportunity like this to present to this place, to the people gathered, elected to represent their constituencies here, and in doing so, to the people who are watching out there, either through the parliamentary channel or perhaps through some other medium, I present my own thoughts and, even more important, I present the thoughts of my constituents whom I'm in contact with on a regular basis every weekend. When I go back to Sault Ste Marie, at every function I go to, in my office, whether I'm walking down the street or at home, people are talking to me about the job I do, about the things I'm involved in that affect them. They want me to take their view and present it here in the House, and I try to do that.

I also try to read so that I can understand other groups out there that have a concern about the way this province evolves, who have a concern about its people, its institutions, and who have a concern about our future.

It's in that context that I begin my few comments today to say to you that there are a number of groups becoming increasingly alarmed, more and more alarmed with each piece of legislation that comes forward by this government, and no less as they look at the implications and the impact of Bill 160.

It was interesting. I picked up the other day a copy of the Catholic Register, a newspaper I read on a regular basis as it comes in because it has some very interesting perspectives on a lot of issues that I have concern about and interest in. On the front page of that November 17 edition I read a heading, "Government Creates Spiritual, Moral Crisis." This is written in the context of 14 religious leaders in an open letter to the Premier, commenting on the state of the province and where they see him leading us.

Not so long before that, during the mandate of this government, we also had a statement that came out from the United Church of Canada. It said, "The very first priority of this government must be to stop the slashing of the safety net." Part of that safety net is education, education for all children, access to education by all

children. "We as a society wove under the feet of our neighbours the means by which we joined God in making justice and love concrete among us." They go on to say, "In today's Ontario, what we're missing is moral; a spirit of community and leadership."

I'm going to talk in that context today about a project of teachers in my own community because they specifically, even though they've worked hard all their lives to become the best they can be, are a group that is very much under attack by this government in Ontario today, are very much in the cross-hairs of this government as it moves ruthlessly to make good on a promise of a tax break for the rich and famous among us.

I also want to share with you some letters I've received from some constituents. I get them now by the bagful daily. We heard earlier today in the House the Minister of Education read some letters. I think he had six in his hand and he read them each probably two or three times — the biggest recycling project of this government so far in its mandate. I have here beside me literally thousands of letters and petitions by constituents in Sault Ste Marie who have taken time to write me, who have taken time to tell me how concerned they are about this piece of legislation. I have one or two letters here that I want to share with you re their thoughts on this piece of work as well.

Before I do that I want to share a quote by a good friend of mine who writes in the Catholic New Times. This is the November 30 edition. He says this, and I think he's right: "The Ontario teachers' work stoppage is one of the most significant moments in the history of teachers in the province: 126,000 people withdrew their services to testify to their belief that there is a price to be paid to keep democracy viable."

He goes on —

Mr Terence H. Young (Halton Centre): Mr Speaker, on a point of order: There are some visitors here in the gallery who are talking. They've been commenting things to me for some time. I find it annoying and I'm having trouble hearing the speaker.

The Acting Speaker (Mr Bert Johnson): That is a point of order. I would just caution the gallery that there isn't supposed to be any talking or conversing back and forth. I'm interested in hearing the continuing comments of the member for Sault Ste Marie.

Mr Martin: I also find it annoying that the government would take the little bit of time that I have here this afternoon to share my thoughts and the thoughts of my constituents with the Legislature and the people of Ontario on this so very important piece of work that we're dealing with.

Thank you for coming today. We appreciate the fact that you'd take time out of your busy schedule to come down and to show some interest in what's going on in this place.

I continue, from that quote by my good friend Ted Schmidt in the Catholic New Times, to share with you a project that was undertaken in Sault Ste Marie which epitomizes the efforts of teachers in our province to do the best they can for the students they have in their charge and

to put the lie to the myth — the minister likes to talk about myths — that somehow, some way, those who are charged with the responsibility of education in this province, whether it be trustees or parents or administrators or in particular teachers, have somehow failed and have not done their job properly or somehow are lacking in their responsibility or their commitment or their work when it comes to education.

Here's a description of an achievement by a group of students led by some teachers at White Pines Collegiate in Sault Ste Marie. It goes like this:

"Since 1992, a group of teachers in Sault Ste Marie has been working collaboratively to provide a 'superior' education for their students. These teachers have worked long hours, devoting time, effort, and energy to develop a stimulating, non-conventional, creative, and participatory curriculum focusing on Lake Superior, a curriculum that provides ongoing opportunities for students to excel in the arts, language, science, technology, and social studies areas. Through their actions, the nominees have helped students to realize that 'environment,' especially as it pertains to the largest freshwater body in the world, is more than just a word. They have created opportunities for students to: adopt and provide, with MNR support, restorative care for a fragile Lake Superior beach; conduct water quality studies and transmit the collected data via cellular phone and onsite computer to schools along the Mississippi River; plant brown trout fingerlings at the outflow of Lake Superior where Ernest Hemingway used to fish; participate in a sweetgrass ceremony with native elders on Whitefish Island, legendary birthplace of Nanabijou, sketch Ojibway pictographs on the cliffs above the blue-green waters of Agawa Bay, cut holes through the lake and operate Echmann dredges to retrieve bottom sediment samples for classroom analysis," and it goes on and on.

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In essence these teachers have involved students in an exciting, motivating and challenging educational process that takes them far beyond the traditional walls of the schools. These folks in Sault Ste Marie, these teachers and students, were honoured with awards. Here's a picture of them in the Sault Star, and it says: "Ontario's Best. Ontario Envirothon: Take the Natural Challenge." It goes on to say that — I'm sorry, this is another group from Bawating Collegiate. This first group was from White Pines. Every school in our community has projects of this nature that go on every day under the direction and leadership of teachers who are committed and who care about their students and who work hard, above and beyond the call of duty, day in and day out, week in and week out.

These students here, the Bawating Collegiate and Vocational School students, Heidi Koschwanetz, Geoff MacNaughton, Laura Dommerman, Luke MacMichael and Steve Hertz, are joined by teacher-mentor Kevin Skalecki, as they display the provincial Envirothon Award they won —

The Acting Speaker: Order. The Chair recognizes the member for Scarborough East on a point of order.

Mr Steve Gilchrist (Scarborough East): Given that today is an opposition day, a day that is set aside by the government to allow the opposition parties the time to bring forward the issues that they claim are of concern to the people, I find it quite remarkable that they can't maintain a quorum in here. Mr Speaker, I wonder if you would ascertain if in fact a quorum is present.

The Acting Speaker: Is there a quorum?

Clerk at the Table (Mr Todd Decker): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present.

The Acting Speaker: The Chair recognizes the member for Algoma on a point of order.

Mr Wildman: On a point of order, Speaker: I don't want to take time from my friend from Sault Ste Marie, but I just wanted to point out that the member who called for a quorum was mistaken when he said the government sets aside time for the opposition for opposition days. The rules of the assembly do that.

The Acting Speaker: That is not a point of order. We will continue. The Chair recognizes the member for Sault Ste Marie.

Mr Martin: Again, I am stopped in my attempt to put on the record some thoughts re this piece of legislation by the government. It has become a regular occurrence around here, an interference in the political process once again, very ill timed and not appreciated.

I'm going to continue, by now having shared with you some of the fantastic work that has been done by teachers out there, and no more so than by the teachers at White Pines Collegiate and Bawating Collegiate in Sault Ste Marie, and in fact all of the schools in Sault Ste Marie, as these teachers go beyond and above the call of duty, day in and day out, week in and week out, to make sure that the students of Sault Ste Marie and of Ontario get a superior education.

Here's a letter that was put together interestingly enough by, if you can imagine, the Sisters of St. Joseph of the diocese of London, Ontario, concerned about Bill 160. I just want to share a couple of paragraphs with you:

"We, the Sisters of St. Joseph of London, pioneers and providers of education in southwestern Ontario for over a hundred years, deplore the manner in which this government has been and is dealing with the question of education reform in Ontario. We wish to register our strong opposition to Bill 160 as it now stands. The sweeping powers which this bill places in the hands of the Minister of Education set a dangerous precedent which threatens to erode the democratic principles upon which the province was founded and until now has continued to operate."

Then it goes on, and I'll go down to the bottom:

"We objected to the dismantling of Ontario's social safety net to no avail. We have protested and watched in horror as our history of excellence in health care has been reduced to minimal and inadequate levels. We cry out once again as this unresponsive government rides roughshod over the will of the people and the future of our children. This is not democracy." This is signed by the

superior of the general council of the Sisters of St. Joseph of London, Ontario.

I want to read very briefly as well a letter from a group of my constituents in Sault Ste Marie and it goes like this:

"Dear Mr Martin,

"This is a list of people concerned about the educational future of our children. And these signatures were taken from just as small part of the town, so we can just imagine how many people in the whole town are not agreeing with Bill 160. We just don't understand how the government thinks that for one minute we would think that Bill 160 would be good for our children. The only concern the government is thinking of is saving money, surely not the education of our children. Money shouldn't be a concern when it comes to our children's future."

I have other letters. I have a card here from a constituent. It says:

"Dear Tony,

"I am opposed to the passing of Bill 160 by the Harris government. I feel that many of the educational reforms involved would be harmful to the youth and teachers of Ontario. The dictatorial approach of the Harris government does not fit my definition of a democratic government."

This was delivered to me by a gentleman who saw me at the Remembrance Day ceremony at the Memorial Gardens in Sault Ste Marie. It's signed by J. Franklin Murphy.

I just want to wrap up by asking people out there, any of them who are concerned, who want to do something, to show their disgust and their opposition to this bill — right today in this city there is a gentleman named Gary Conley who is on a hunger strike because of Bill 160. He's at Trinity-St. Paul's United Church. That's 427 Bloor Street. This evening at 6 o'clock, there will be a service in solidarity with him. Anybody who would like to be there is more than welcome to participate. That's at 6 o'clock, at 427 Bloor Street West at the Trinity-St. Paul's United Church, to support Gary Conley in his hunger strike and his effort to stop this bill and to bring this government to its senses.

I just want to show a couple of pieces of art that were done by a couple of students at SF Howe school in Sault Ste Marie, obviously primary grade students. It says, "Will I have a future?" and "Delay Bill 160."

My last comment and job this afternoon is to send a message to the Minister of Education and Training with some help from my constituents. A group of constituents, teachers and parents in Sault Ste Marie, brought to my office a bag of apple cores. They have been in my office for about a week now. I don't know how long they had it before I got it, but they are rotten apples, I want you to know. That's what this minister and this government deserve re their attempts to reform education and Bill 160. I would ask the page to come over and deliver this to the desk to the Minister of Education and Training.

The Acting Speaker: Maybe I would direct the page to leave it just on that step there. That would be fine, I think.

Mr Martin: I asked him to bring it to the minister's table.

The Acting Speaker: I'm standing up and you said you were finished. If you give me a minute, I'll explain it to you.

Hon Janet Ecker (Minister of Community and Social Services): Have respect for the chamber.

Interjections.

The Acting Speaker: Order. The Chair recognizes the member for Algoma on a point of order.

Mr Wildman: On a point of order, Speaker: The Minister of Community and Social Services just impugned motive. I would ask her to withdraw her remark.

The Acting Speaker: I didn't hear it, but if the minister has something she would like to withdraw —

Hon Mrs Ecker: I wasn't aware that I had said something which impugned motive. If I did, I would like to withdraw.

The Acting Speaker: Further debate? The Chair recognizes the member for Norfolk.

Mr Toby Barrett (Norfolk): No rotten apples here, but I would like to take this time allocated to discuss Bill 160, as amended, and try to set some of the record straight. There has been a lot of rhetoric, misinformation, fables, fiction and fantasy surrounding what is really contained in Bill 160 and what Bill 160 is meant to do. Throughout the debate we have heard a lot of noise from the opposition side, but as Mark Twain once said, "Noise proves nothing."

The minister adjacent I think used the expression "egging on." I used to have a flock of laying hens, and I concur with the rest of Mark Twain's quote: "Even a hen who merely laid an egg cackled like she laid an asteroid."

1630

The first myth I wish to deal with is the one that says no consultation has taken place between the government and the citizens of Ontario. If we look back we find, as the member for Middlesex pointed out earlier this afternoon, there have been, under previous governments, 24 separate reviews, 10 commissions and committees, two fact-finding reports, two panels and countless meetings to discuss education reform. Each of these bodies and panels made recommendations for reform to the education system in this province. Until this government came to power, none of the recommendations were ever acted upon.

In the evolution of things leading up to Bill 160, we can begin with the Royal Commission on Education, chaired by Liberal cabinet minister John Sweeney. That commission toured the province and heard delegations from people in the education profession, school board trustees, teacher unions and concerned parents. There was a lot of fanfare and, as I understand, all-party support was received for these recommendations. In the interim there was an election and we all know what happened there: The party that said it would get rid of the deficit, control spending, cut taxes but not cut health spending and reform the education system won.

In the meantime, the government has set and met targets for eliminating the deficit — actually we are now

ahead of target — has cut taxes, has increased health care spending, and now our government is reforming the education system. I should add, I'm proud to be part of a government that follows through on its promises.

This government set up the Education Improvement Commission, with David Cooke, former NDP Minister of Education. That commission went about the province and again listened to the education profession, school board trustees, teacher unions and concerned parents. The EIC made recommendations for improvement of the system in this province, recommendations that have now found their way into Bill 160.

The bill was referred to the standing committee on administration of justice. It travelled the province and spoke with the education profession, school board trustees, teacher unions and concerned parents. This led to over 100 amendments being proposed to the final version of the bill we are debating today.

There has been consultation leading up to this, without a doubt.

Bill 160 is only a part of the education reforms started by this government. We are moving students to the head of the class by introducing a clear and challenging province-wide curriculum, by introducing province-wide testing and a standard report card. We implemented the College of Teachers. We've introduced a four-year high school program similar to the other nine provinces and all 50 states. Students will be streamed starting in grade 9. It will be challenging and it will encourage our children to reach higher and to develop the skills they need. We have reduced the number of school boards, we've reduced the number of trustees and we are concentrating resources on the classroom, where they belong.

Bill 160, the Education Quality Improvement Act, is the next step in the fulfilment of our government's plan to improve education. The plan is comprehensive and far-reaching and, I might add, one that has been opposed at every step by members on the opposite side. I realize the job of the opposition is to question government policy as it makes its way through the House, but opposition for the sake of opposition is one of those things that voters in this province are becoming tired of. Voters in this province want to see policy, and quite frankly I haven't heard anything of substance from the other side yet, except for them to say they are opposed.

The same can be said for teacher union leaders. They are opposed, and nobody seems to remember that when this government was formed the union leaders said they were opposed then too, and have merely been looking for a fight with the government right from the start.

This plan began with the establishment of the Education Quality and Accountability Office, an external agency designed to test our young people throughout their school lives. Until now we haven't been able to accurately measure our students' progress. There were unequal standards applied across this province. Now, with province-wide testing, parents can see clearly how their children are progressing. We have started a comprehensive testing program and we received the first results this fall. How is

this important? These results give us a baseline set of data to gauge progress and to compare with other provinces.

This government has also recognized very early that the key component in an education system is teachers, and in order to recognize the professional nature of teaching we have set up the Ontario College of Teachers to enhance the level of expertise they bring to the classroom. I should also point out that the college participated in discussions on Bill 160 and made recommendations which are included in this amended bill.

As part of the plan to reform education, this government established a clear, challenging and consistent province-wide curriculum. The curriculum is rigorous and demanding.

Mr Wildman: That is not in Bill 160.

Mr Barrett: As I've explained, I'm giving the background and leading up to the good work that's been done by both the NDP and Liberal governments to bring us to where we are now with Bill 160.

The curriculum has year-by-year standards that will raise the standard of education for all students in Ontario. The first components of the new curriculum, math and language, are already in the schools. Science, technology, history, geography and physical education will soon be phased in. The new curriculum is a response by this government to the concerns of parents that Ontario schools are not keeping pace with those in other provinces and other countries. It is a response to create a province-wide standard so that a grade 3 student or any student who moves within the province will know that he or she will be able to fit right in, regardless of their new location.

This government has also introduced a standard report card to replace the hundreds of different report cards that were being used across the province. This report card matches the grade-by-grade expectations of the new curriculum. Parents can meet with teachers, turn to the new curriculum and discuss their children's strengths and weaknesses based on the curriculum's standards.

As I mentioned, we are introducing a new four-year high school program similar to that found in the other nine provinces. This program will be streamed from grade 9. It will be more challenging and it will encourage our children to reach higher and to develop the skills they need.

I should point out that grade 13 was a temporary measure introduced after the end of the Second World War, designed to hold students in high school an extra year to create more space in universities for our returning veterans. We hung on to this extra system too long and it's time we joined the rest of the world with a four-year program.

This example, the continued existence of over four years of high school, reminds me of what are referred to as the cliff watchers in England. These were a group of people who were hired by the English government to walk along the cliffs of Dover and watch over the English Channel in case an invading fleet should appear on the horizon. The only problem was they were hired to watch for Napoleon's fleet in the early 1800s and the positions weren't declared obsolete until the 1950s. I will say they

did perform their duty well; Napoleon's fleet never did show up.

The cliff watchers on the other side of the House would have us go back to an education system that wasn't working very well. The cliff watchers would have us get rid of all the reforms to education that we've put in place and then go back to watch for Napoleon's fleet. Bill 160 is the latest step in reforms to education that this government has undertaken. It's really about getting the best results for taxpayers' money.

As the Education Improvement Commission has said, "We've been paying more attention to the resources we put into education than into the results we're getting out of it." Bill 160 clearly defines the role of school boards and the Ontario government in providing education services and getting results in our new system.

In general, the powers and duties of school boards remain the same: budget setting; the purchase, expropriation or sale of real property; appointing teachers and other officials; the provision of accommodation and instruction; and many other duties that are currently set out in the Education Act.

Boards will still develop courses of study from curriculum documents. Nothing in Bill 160 changes this. In fact Bill 160 contains many provisions which already exist under the current Education Act or in other pieces of legislation such as the Municipal Act.

I would like to refer to an editorial that appeared in the *Simcoe Reformer* last Friday. It is titled "Much Ado About Nothing" and was written by Monte Sonnenberg, a local journalist. It talks about the report by the Ontario Catholic School Trustees' Association, which says Bill 160 will greatly enhance education by establishing an equitable funding formula for all Ontario students. Instead of rich boards spending \$9,000 per year per student while boards with a weaker tax base spend \$4,000, all students will be funded equally.

1640

Mr Wildman: Everybody will spend \$4,000.

Mr Barrett: The cliff watchers are obviously against this.

The *Simcoe Reformer* editorial says that Bill 160 does not give Queen's Park extraordinary powers to take over school boards and close schools as claimed. Indeed, what powers the education minister has in this area are already contained in the Municipal Act, and then only for insolvent boards. The so-called draconian powers Bill 160 allegedly gives the education minister to dictate policy already exist in the current Education Act.

This editorial goes on to say that proposed class sizes of 22 pupils in high school and 25 pupils in elementary school "reflect current provincial averages." The establishment of average maximum class sizes in legislation does not dictate cost savings directly. It will impose changes on school boards that are above the average class size. It goes on to say, "This will enhance the quality of education in Ontario by reducing the student-to-teacher ratio in overcrowded classrooms." Again, the cliff watchers are against this one.

Bill 160 does not allow the board to replace teachers with unqualified teachers. The Ontario Catholic School Trustees' Association states: "There is no change in the current criteria that a principal must be a qualified teacher."

What is the point? The point is that this is a government that has a plan. It's a plan about improving education in the province and Bill 160 is merely one part of that plan.

Bill 160, as amended, will require secondary school teachers to spend an extra half-hour a day in the classroom, and this can be adjusted locally to take into account new teachers who may need extra time and to take into account the role of a department head who may need extra time. In the amended bill secondary school students will have an extra 10 days of instructional time; elementary students will have an extra five days in the school year. The year will not be extended because extra days will be found by eliminating exam days and professional activity days. We know this is possible because teachers themselves have already said that the 10 missed days from the illegal strike can be made up without extending the school year. Why not continue with this on an annual basis?

This would add up to about 80 extra days over the lifetime of a student. This is important because we know that by increasing the amount of exposure to a teacher students receive results in students who are better prepared to go on in life.

These changes in the education system of this province are being done for the students of the province to give them a better chance. It creates a system which is more accountable to the public while improving quality and making it more cost-effective. Again, the cliff watchers on the other side are opposed to this proposal.

I would like to say at this time that I have spoken to many people in my constituency of Norfolk, teachers on the picket lines, and have received phone calls, faxes and letters from the general public. I wish to report that while the majority of the teachers in my riding are against Bill 160, 80% of everyone else I've talked to in the riding of Norfolk is in support of the changes this government is making to improve education.

I intend to vote for the wishes of this majority and I intend to vote for Bill 160. I intend to vote for this bill as a former teacher, I will vote for this bill as the father of a teacher, I intend to vote for this bill as the son of a teacher and I'll vote for this bill as the grandson of a teacher. Thank you for your attention.

Mr James J. Bradley (St Catharines): Thank you for the opportunity to speak briefly this afternoon on this very perceptive and reasonable motion which I hope the government will vote for instead of against.

What I want to point out is something that I think is important for everybody in this province to know, because the government has endeavoured to characterize this as a fight between the teachers and the government of this province. This is not a fight between the teachers of Ontario and the government of Ontario. This is a fight between those who believe in a strong, vibrant, high-quality, publicly funded education system and those who

do not. That is what this fight is about and that is why there is such a grand coalition of individuals and groups in this province who are opposing this legislation because they believe it will be detrimental to the education system and to the students within that system.

I have not seen, in my 20 years in this Legislature, such widespread and deeply felt opposition to a piece of legislation as I have seen with Bill 160, and that includes a lot of controversial bills that have come before the Legislature. I must point out that virtually everybody has, directly or indirectly, a stake and interest in education. It has been traditional for all the parties in this Legislature, including the Conservative Party of Bill Davis, of John Robarts and of Leslie Frost, and the years that can be remembered in this province by those of us in this Legislature — these were all individuals who understood the importance of education and the need for appropriate funding for education and a solid, strong education system.

Within the Conservative Party over the years, then, there has been a significant contingent of individuals, in education and outside of education, who have understood the importance of that strong, vibrant, high-quality education system. Those people today are, I am sure, expressing to many members of the Conservative caucus and to some of us in the opposition their deep disappointment with this government and the resentment of this government for its attack on education. These are not people who have traditionally supported other parties or people who have been neutral in the process. These are strong Conservatives who have worked hard for the party over the years. They may have raised funds, they may have knocked on doors, they may have been part of executives, they may have been candidates for the party, they may have been members of this Legislature who are expressing absolute dismay when they see this government abandoning that commitment to education and deciding to launch an attack on teachers and trustees in this province. Many of the trustees are people who have supported the Conservative Party over the years as well.

We're seeing that resentment build, and with justification. Bill 160, they understand, is about the centralization of power within the field of education in Toronto in the hands of a few bureaucrats and individuals within the Premier's office, the political advisers. This is contrary to the Conservative tradition, which has always held that the best decisions in most cases in education should be made at the local level, where people are locally accountable, as trustees, to the people who elect them.

This is a dangerous bill because it removes from the power and jurisdiction of elected representatives, who are accountable to people, the kind of power that's necessary to carry out educational responsibilities and transfers it to the very few people within the Ministry of Education and, as I say, the advisers to ministers — these are political advisers to ministers and the advisers in the Premier's office. The *Globe and Mail* referred to that group as the "Harris Kremlin" and the "politburo" of Ontario because they are a very few people, very young in age, who control the agenda of this government and dictate even to minis-

ters who I think have far more experience, who are elected people and who are much more accountable. In so many instances that dictation comes from the Premier's office, from that collection of people. I think that is not good for the democratic system in this province. So we see that transference of power.

This Conservative government has made permanent — because it is about money — the hundreds of millions of dollars of funding withdrawn, supposedly temporarily, from the education system as a result of the social contract. Even though the Conservative members were critical of the previous NDP government because of the imposition of the social contract, today you are embracing that and making permanent those cuts which were to be temporary — that was my understanding — during a period of crisis.

1650

You have taken an additional \$533 million, half a billion dollars, from the classrooms of this province, from the education system of Ontario. You have said this is not about money and all the government representatives were told to go to the public meetings and say: "This has nothing to do with money. It has to do with the quality of education." Then we find a document that is a contract for the Deputy Minister of Education and one of the stipulations, when that secret document is released, is that she is to take \$667 million out of the education system. When that document appeared in public, as it did through the efforts of those who were in opposition to the bill, we found that this was in fact all about the taking of money out of the education system.

But you know, the day before the final day for amendments, if you wanted to call the bluff of the government, the teachers' federations called the bluff. They said to the government: "You want a longer school day. We propose a longer school day, which will make us second in length of time only to British Columbia." Then they said: "You want fewer professional activity days. That's a good idea. You can incorporate that in the bill." Then they said: "You want fewer days for examination purposes," and they did that. They put all these on the table. They said, "This is going to achieve what you want." Oh, but no. Premier Harris's real agenda and the group of people who advise him, the whiz kids at the Premier's office, really wanted to take another two thirds of a billion dollars out of the education system to finance that tax cut that benefits the most wealthy people in our province the most.

Mr Johnson, the Minister of Education, had to admit on the day he released his amendments that it was really about taking out of the system 7,500 more teaching positions. If you believe that is going to deliver a better quality of education, then your idea of education is somewhat different from most of the people in this province.

Then we have the attack ads now which are attacking teachers and trustees in a very personal way and downgrading the role they play within the education system. Even Elizabeth Witmer, a former trustee and chair of the board, is disgusted with these ads.

This is all part of a system which brings about more regulation as opposed to legislation. It is part of the bullying and intimidation by this government of anybody who happens to disagree with the Premier and that close group of advisers to the Premier.

This is all made easier by the changes in the procedural rules of this Legislature which were initiated and carried out by the majority of this government, some 82 strong. If there's going to be any discussion of any of these matters, I can assure you, if there's to be an inquiry of any kind, this government will simply sweep under the rug any of these contentious issues with the 82 bristles it has that are members of this Legislature. I use that, of course, symbolically speaking.

I hope members of the government will reconsider and support this marvellous resolution this afternoon which will allow the government to repent for its errors of the past.

Mr Wettlaufer: This whole dispute over Bill 160 began two years ago when we were elected. The union leaders did not believe at that time that their members would vote for the Progressive Conservatives. They became determined that their members would not vote for the Progressive Conservative Party again and they began fighting everything we did.

Members of the Waterloo region caucus met with the representatives of the teachers' unions here several times. They opposed the common curriculum. They opposed standardized testing. They opposed the standardized report card. They're still opposing.

I accused them yesterday in a public forum I had of not being truthful with their members and with the public and with the media. They have been lashing Bill 160, specifically section 257. Section 257 was lifted from the Municipal Act. The Municipal Act has only been in force since 1935.

Either the union leaders were lying to their members or they're stupid. Now which is worse —

Mr Gilles Pouliot (Lake Nipigon): On a point of order, Speaker: My colleague has chosen to invoke and provoke and uses the word "lie." Surely he should have more respect for the teaching profession. I would ask him, through you, sir, that he withdraw the word "lie."

The Acting Speaker: That is a point of order, but the member did not accuse another member of this House in his accusation and therefore doesn't have to withdraw, but I would ask him to use temperate language in the future.

Mr Wettlaufer: Thank you, Mr Speaker. I would never allude to teachers in that frame of mind or using that phraseology. However, I do refer to the union leaders. However, I will not accuse them of lying again. But the members of my riding know what they've been doing.

I would like to talk about something here. I'm not the only one who is talking about them using scare tactics. For instance, Randall Denley, a columnist with the Ottawa Citizen, also alluded to the fact that they were using scare tactics. He said, for instance:

"The Minister of Education can close a school for a specified period without consulting the Legislature. The

minister can accept any combination of experience, academic scholarship or professional training as the minister may deem equivalent. The minister can grant permission for up to one year for a teacher to teach a subject where the person does not hold a certificate required for teaching the subject." He goes on and on. He says, "Frightening, isn't it?" Son of a gun, what he quoted was in the Education Act of 1980.

Isn't it odd that the teachers' unions have not opposed this before? They haven't opposed section 257. They haven't opposed these. They're only opposing them because we're including them in Bill 160. Isn't that odd?

What he does say is: "Rather than being a power grab, Bill 160, an amendment to the Education Act, is in keeping with the original document. Thanks to the amendments, it's actually more democratic because details are spelled out in the legislation, and through amendment, of course, we know that any future changes must go in front of the Legislature."

We went around the province. We heard suggestions for amendments. We made recommendations for amendments and, lo and behold, the minister agreed with those recommendations. He made the amendments and they have been approved in committee. In spite of that, in spite of the fact that the amendments have been made and in spite of the fact that the teachers' unions know now what is in section 257, they are still advertising in the newspapers about what they think is democracy.

Here's an ad from Wednesday, November 19. Bill 160, what is all the fuss about? Section 257.45, "The board and each of its members, officers and employees shall comply with the orders," etc. It goes on. I'll supply this to Hansard. But they are saying that democracy is not being performed by the government. What nonsense. It's also false advertising.

1700

This government is carrying out reforms that were actually started by the two previous governments. Many reports have recommended changes. The previous government started some of those changes. We're carrying them out.

The 1994 report of the Royal Commission on Learning, For the Love of Learning, identified and recommended to the government a series of interrelated initiatives. The commission had 167 recommendations. They included reviewing and revising legislation and regulations governing education — that's what Bill 160 is about; development of a province-wide curriculum — we've done that; reforming education finance — that's what Bill 160 is about; mandating of parent advisory councils in every school — done that; developing and monitoring the province-wide standards or outcomes — we've done that; establishing a province-wide testing program — we've done that; establishing an office of assessment and accountability — we've done that; establishing the College of Teachers to regulate the teaching profession in Ontario — we've done that too. But the teachers' union opposed that too.

Interjection: No.

Mr Wettlaufer: Yes. Surprising. But the biggest factor that we have to look at is we hear about all these "testing results" and how other provinces or other jurisdictions play with the facts. Come on. Let's be realistic. David Cooke, the former NDP Minister of Education, recently said on television, "No matter how much opposition there is, no matter how much the opposition likes to play with the figures or the facts, the fact does remain that our students are falling behind and we do have to get ahead, we do have to catch up."

The unions have distorted much about Bill 160. I already talked about what they've done with section 257. But they've also said, and they've persuaded the teachers, the public and the media, that the bill will increase the number of students in the classroom. Since 1992, the unions have consistently negotiated upwards the size of the classroom. Bill 160 is capping the average size of the classroom in Ontario at what the current number is. There will not be any further increases. The boards will still have the flexibility within their own local areas to be able to juggle the class sizes based on special needs, based on ESL. Yes, there will actually be some classes larger than 25 in the secondary and larger than 22 in the elementary. Yes, there will, just as there are now.

Mr Wildman: You're in favour of the status quo.

Mr Wettlaufer: The status quo, I say to the member for Algoma, is sure better than having the unions negotiate the class sizes upwards again next year and the year after and the year after, as they have done since 1992.

Isn't it interesting? We have to put up with this nonsense day in and day out here, and then we have to go back to the riding and put up with the nonsense from the teachers' union leaders.

Even Christina Blizzard, another news reporter, stated about the arguments about Bill 160 —

Mr Bradley: Here's an objective source.

Mr Wettlaufer: The member for St Catharines, oh, my, my, accusing Christina Blizzard of not being objective?

Mr Bradley: I said, "Here's an objective source."

Mr Wettlaufer: Oh, yes, but you were very sarcastic when you said it. That's terrible. I can't believe you would do that.

Anyway, we talk about these rights of commissions, that they're not subject to the courts. No, of course not. Look at what other commissions aren't subject to the courts: the Environmental Assessment Board; the Ontario Labour Relations Board; the Education Relations Commission. Son of a gun. I can't believe the previous governments allowed that. I can't believe the teachers' unions didn't oppose that when those governments were in power. Isn't that odd? It's only happening because we're in power.

The Ontario Catholic School Trustees' Association recently came out in favour of a large part of the bill. Granted, they have some concerns with the bill, and we as a government can appreciate that not everybody is going to agree with all parts of the bill. We can appreciate that, but we can wait for year after year and try to get it entirely

perfect according to somebody else's interpretation and never accomplish it. We are trying to improve the education system in this province. We're not talking about what we want; we're talking about what is better for the children of this province. They have to be able to compete. They have to be able to compete with the members from India and Japan and Germany and China and every other country, because we have what is called a global economy. They're in global competition. Why is it that some countries are specializing in certain areas? Because they know that those are going to be the needs five, 10 or 15 years from now. We need to do likewise.

I talk about the opposition that we've been getting on this bill. It's really interesting. We had a teachers' rally here a week ago and, lo and behold, it was dug up by a reporter by the name of Thane Burnett that the protesters were paid for their outrage. The protesters were actually paid by OPSEU to come and demonstrate against Bill 160.

Mr Marcel Beaubien (Lambton): I don't believe that.

Mr Wettlaufer: It's true. There it is right there. There it is. How much did they get paid? One hundred and seventy dollars. Of course, the Local 595 president, Barry Weisleder, defended the offer.

I am pleased to support this bill. I will be supporting the bill because I think it is important that the young people will be able to compete with anyone in any jurisdiction anywhere in the world for the best possible job, the best possible career in the future; I don't care whether it's five years or 10 years or 15 years from now. But I will tell you this: Being in business for the past number of years, I have watched a slow but steady, gradual deterioration in the ability of the students to be able to write, to be able to spell, to be able to add and, by jeebers, I want to see an improvement.

1710

The Acting Speaker (Mr Gilles E. Morin): Further debate?

Mr Howard Hampton (Rainy River): It is indeed an unusual position to follow the member for Kitchener, who wants to pretend that \$800 million has not been removed from Ontario's schools already, who wants to pretend that Bill 160 is not about removing another \$700 million from the system.

Mr Wettlaufer: Dave Cooke —

The Acting Speaker: Member for Kitchener, you had your turn.

Mr Hampton: Let me recount just a bit of the last two years and what we've seen happening in our schools over the last two years. A number of boards across the province have been put in the position where they've had to cut junior kindergarten. I know members of the Conservative bench make remarks like, "Junior kindergarten is glorified babysitting." I've heard them say this. I've heard them say they don't think kindergarten or junior kindergarten is really an important part of education.

They may say what they wish. The studies that have been conducted point otherwise. The studies that have

been conducted show that the most important time in any child's development, the most important time in any child's education is the early years. In fact, there are studies from western Europe and the United States which show that every time you spend a dollar, devote a dollar of resources to early childhood education, you save seven dollars later on, either in the education system, the justice system or the social welfare system. But this government chooses to disregard that. They have in fact cut junior kindergarten from board to board to board across this province.

Then there's the issue of adult education. I hear the Conservative members say, "Well, we want people to be able to compete in the global economy." That's their concept of it. That's what they say, but if people are to take part in this so-called new economy, if people are to have the tools to be productive in this so-called new economy, then people need the opportunity as adults to return to the school system to re-equip themselves with skills and with knowledge. But what has this government done? They've cut adult education as well over the last two years, so there are all kinds of people across this province who want to re-enter the education system, who want to acquire new skills or broaden the skills they have already who have been shut out by this government's cuts to adult education.

Then there's the case of children who are in the system who need extra help, the case of children who need special education. But from board to board across this province this government has cut special education so that those children who need extra help, those children who need a unique program if they are to succeed, have been told by this government: "There's no place for you in Ontario's education system. You're no longer a priority either."

Then there is the situation we see in many other boards, where those things which make school interesting, those things which attract the broad spectrum of students also have been cut, and I'm talking here about a good athletic program, a good music program, a good drama program, the range of extracurricular activities that enliven our schools, that make them attractive to that broad cross-section, that broad spectrum of students.

Then there is the reality that in many classrooms across this province schools are not even able to provide textbooks. In a number of classrooms, you simply have an inadequate supply of textbooks, or textbooks that are far out of date. Again, more help from this government — this is what they've cut already from the lives of students across this province. That has been the \$800-million cut as it exists.

The government tried to say, when Bill 160 came into the Legislature, that this is not about cuts, that this is not about taking more money out of education. Then I was able to get my hands on a copy of the deputy minister's performance contract, a very detailed performance contract which not only sets out the cuts that have been made already but sets out the cuts that are to come.

What did we find in the contents of that employment contract? The deputy minister must have in place by the

end of this fiscal year a plan to take a further \$670 million out of Ontario's elementary and secondary classrooms. It is all about cuts. That's what was exposed in the deputy minister's employment and performance contract which I was fortunate enough to get a copy of and to make available to the public.

Some \$800 million in cuts has been made already, another \$670 million in cuts will flow from Bill 160, and more to come in the out years. That is made plain by a reading of the deputy minister's performance contract.

I simply ask the question: How can you improve the quality of education in this province when the only observable agenda the government has is to take at least \$1.5 billion out of our classrooms, when the government has cut junior kindergarten already, when it has cut adult education already, when it has cut special education already, when it has cut extracurricular activities already, when you don't even have enough textbooks in classrooms? How can you possibly improve the quality of education by taking yet even more?

The parents across this province, despite this government's abusive \$4 million propaganda campaign, despite this government's misuse of the media, despite this government's attempt to brainwash people, have clearly seen through the whole direction. When the government has already attacked junior kindergarten, already attacked adult education, already attacked special education, already attacked extracurricular activities, already attacked basic classroom supplies, the parents across the province understand you can't possibly improve the quality of education by cutting yet more, no matter how much money this government spends on television propaganda and no matter how offensive, how ugly, how vicious its propaganda campaign is, and it is certainly all of those things.

There is something yet more insidious about what the government is trying to do. If you read Bill 160 — and I urge parents across the province, read it. Get a copy of it, download it off the Internet, get a copy wherever you can and read it. When one reads Bill 160, when one sees that the Minister of Education has the unilateral authority to fire democratically elected school board trustees, to dismiss them with no hearing, with no possibility of appeal, to simply dismiss them, when this is a minister who essentially has the power that the Kremlin wished it had had, this is a minister who can literally go from one corner to the other attacking boards of education, it becomes apparent how greatly, how overtly this government is trying to centralize control.

What is so ironic about this is that we all know education is a very dynamic experience, that the classroom is a very dynamic place. It requires spontaneity; it requires human creativity; it requires the energy of literally dozens of people. This government believes it can then centralize control over such a dynamic undertaking, such a dynamic system and can have top-down, centralized, bureaucratic command control over education. That boggles the mind.

If you compare what this government is trying to do with the recent experience in eastern Europe, the experi-

ence in eastern Europe is that centralized, top-down command control doesn't work. Yet that is exactly what this government is trying to do with our children's education. They are trying to put in place a centralized, top-down, command style of bureaucracy, the kind of bureaucracy that stifles initiatives, the kind of bureaucracy that stifles the dynamism you need in the classroom, that stifles the spontaneity you need in the classroom.

1720

This will not work. You cannot, in the first instance, improve education by cutting the funding and you cannot, in the second instance, improve education by trying to implement some sort of top-down command structure. Neither of the premises of this bill will improve education.

For those reasons, this bill should be withdrawn. For those reasons, if this bill is passed it will be repealed. The fundamentals of this bill are completely wrong for education, and I will say here that if we are fortunate enough to elect the next government in Ontario, we will repeal this bill. But beyond that, the premises upon which this bill is based are fundamentally wrong, and we will rethink those premises as well.

We understand that if we are going to have a role in the new economy, if we are going to be productive in the new economy, even more thoughtful, even more strategic investments in education will have to be made. All parents across this province are asking this government to do is to reinvest. That's all parents are asking: "Please reinvest. Any money that you find through either structural changes or administrative changes, please reinvest it." The government can't even do that. The Education Improvement Commission has said to this government, "You must reinvest." The government refuses to do that. Well, I will say to people right here, we will reinvest in education. We will reinvest to ensure that people can take their productive place in the world economy.

I also want to point out, so that there's no mistake about this, that while this government is being most anti-democratic through this bill, while this government attacks the fundamental premise of democracy that there should be no taxation without representation, while this government attacks democratically elected school trustees by giving the minister the power to dismiss them without a hearing, without an appeal, while this government continues on that very anti-democratic vein, there is an avenue whereby people can express their opposition to this bill.

This government has, through another one of its legislative committees, endorsed the idea of deciding important public issues by means of referenda. This is something they brought to a legislative committee and the Conservative majority on that committee endorsed the idea that important public issues should be decided by means of public referenda. We say to this government this is an important issue. If you intend to implement taxation without representation, that is an important public issue. If you intend to dismiss democratically elected school board trustees without so much as a hearing or an appeal, that is an important issue.

We are saying to people, there is a way to bring democracy to this legislation, and that is to sign the petitions requesting a referendum on Bill 160. We believe there are at least 700,000 parents across this province who are prepared to sign petitions to require a referendum on this bill. The way those petitions are worded — and this is very important — the petitions first of all ask the government to withdraw Bill 160, but the petitions also point out that if Bill 160 is passed by this government, it be repealed. That is the subject of the petition campaign and that will be the subject of the referendum.

I say to people across this province, notwithstanding the anti-democratic bent of this government, notwithstanding that this government believes it is above international law, notwithstanding that this government believes it is above the Constitution of Canada and the Charter of Rights, notwithstanding that this government believes it can trample law and the democratic principle of no taxation without representation, notwithstanding that this government believes that it can dismiss democratically elected school trustees, notwithstanding all of those wrongs, notwithstanding all of that disrespect for democracy, there is still a way for people to demand democracy and demand democracy with respect to Bill 160.

I hope parents across this province will sign those petitions and I hope parents across province will get their neighbours, their friends, their colleagues, their co-workers to sign those petitions because I believe we can make this into the issue that will not go away. We can make this into the issue that will haunt this government from today and ever forward. There is still time for this government to do the right thing. Withdraw Bill 160. If you don't withdraw Bill 160, the people will force you to do it.

The Acting Speaker: Further debate?

Mr Young: I will not be supporting the opposition motion.

Mr Gilles Bisson (Cochrane South): How come?

Mr Young: During the last month I've listened to and spoken to literally hundreds of teachers and parents in my riding. On the teachers' side, the same as the opposition side —

Interjections.

The Acting Speaker: Order, the member for Lambton and the member for Lake Nipigon.

Mr Young: — the issue is very high and emotional, as you can hear today, and the issue is also very low on facts. By now, we all know why. The school boards and the unions are about to lose some power that they've had for a long time, decades, power they've had in trust for the stewardship of our children because somewhere along the line they got way, way off track. Our resources are not in the classroom. Our classes are too large in many schools and the number of days in class is the second lowest in Canada.

We've all heard the slogan, "Teachers' working conditions are our children's learning conditions." On the face of it, it would appear to be true, but when you look closely at the issue, you see a dichotomy between the two. For

instance, over one out of four teachers in Ontario is rarely, if ever, in the classroom. The average class size in Ontario is 24 and the pupil-teacher ratio is 15 to one. Do the math.

Interjection.

The Acting Speaker: Member for Cochrane South.

Mr Young: Many are where they need to be. They're principals, they're in guidance, they're in special education, and so it should be. But there are others at school board offices writing curriculum or working on various and sundry projects.

The Ministry of Education has introduced an excellent new back-to-basics Common Curriculum and if you talk to teachers one on one, they like it. We simply don't need so many people writing curriculum at 129 school boards across the province any more. Parents are wondering why are all these projects and why is all this administration necessary; in reality, it isn't.

Although the class time is only three hours and 45 minutes for the average secondary school teacher, they spend two 75-minute periods a day deciding, based on their own priorities, what they should be doing: One is the lunch period; one is a preparation time period. In fact, we spend \$600 million a year in Ontario on preparation time. That's a lot of money. No one is quite sure what each specific teacher is doing during that time. Some are buzzing all day, taking little time for lunch. That is a fact.

They're the ones who conduct the band and the orchestra and come in early in the morning to lead the choir or they coach the debating team, as one excellent and very dedicated teacher in my riding does. He took them to first in competition against every other school, including six private schools. They come in early to coach the swim team, they stay late for soccer, football or hockey. These teachers are the stars of the system. They're the ones who give everything for our children, and they deserve our greatest thanks. Others mark papers during preparation time or make themselves available for their students.

1730

But I must repeat the questions many parents have asked me about preparation time. For the teachers who aren't doing the extracurricular activities, what's wrong with the time between 3 and 5 o'clock every day? Where is it written that our school day must end at 3 or 3:30? Why can't my children be guaranteed remedial help every day in the classroom from 3:30 to 4:30 if they really need it?

The teachers will tell you, "We're all working till 5 or 6 o'clock." I have a little trouble with that. I know there are many who do. In fact, there are many who work hours and hours more than their peers. Incidentally, they don't get paid a cent extra for all this extracurricular activity. Why, then, when parents pass the school parking lot, is it half empty at 3:45 every day? It's because the workload is not spread evenly. It's because too much of what goes on in our schools is voluntary. It's because some of the teachers are doing all the extracurricular work.

They say others are taking work home. That's absolutely true. Teachers are marking papers and they're doing planning at home as well. But the tradeoff for long hours

during the school year has always been 12 weeks' vacation, including the summer off, and it's a great deal. In fact, if you offered that to the average parents, whose taxes pay the teaching profession, most of them would jump at it. Ask any taxpayer who works in the private sector, "Would you exchange long hours for nine months a year in order to have 12 weeks' vacation a year?" Many of them are already taking work home and working long hours, and they only get two or three weeks' vacation. So you can imagine what their answer will be.

I've asked parents and taxpayers in my riding about Bill 160. Here's the question: "When was the last time anyone ever asked you what size your children's classes should be?" The answer was, "Never." I asked them, "Has anyone ever asked you how long you think the school year should be?" "Never." I asked them, "When was the last time you heard of a poorly performing teacher being fired?" The answer was, "I've never heard of it."

I asked them, "Did you know that some boards in this province spend up to \$3,000 a year more per student than your children get in Halton?" No, they didn't know. "Why is that?" I said there is some sense to it because there's more English-as-a-second-language need in Toronto, but you can quantify that. It costs about \$600,000 a year for English-as-a-second-language training. Where's the other \$2,400 going?

Bill 160 has sparked the first serious discussion about these issues in decades. The reason? Because parents have been totally left out of the equation by school boards and teachers' unions, who decide these things behind closed doors in collective bargaining.

Class sizes have become too big in Ontario, in some cases over 40.

Compared to the average of the other provinces, our children in elementary schools spend five days less a year in class, and in secondary 10 days less a year in class.

Most parents I talk to are shocked to find out that the principals are in the same union and bargaining unit as teachers. They ask: "Isn't that a conflict? How can you manage the performance of a union peer?" My answer is, with great difficulty, if at all.

There's been little accountability in education. Our children are performing below the middle of the pack on national and international tests. All we hear from teachers' unions and school boards is, "The tests aren't fair." They have people who sit there all day and they're paid to find out why the tests don't make any sense. But they're in denial; not all the tests can be wrong.

We've gotten way off track. Our children have been taught to relate to their feelings and ideas and the facts come along later. This does not prepare them well for a world which relies heavily on facts and core skills in English, mathematics and science. Their education is warm, but it's very fuzzy. Parents who express concern are subjected to fingerpointing and are befuddled with education jargon. The school boards blame the ministry and the unions. The unions blame the government and the school boards. Past governments have blamed everyone but themselves, and they're still at it here today.

This government is taking control of the above issues in Bill 160. This government is saying, "When it comes to average class size, when it comes to learning time, when it comes to class time, the buck stops here." We accept that responsibility. We are not afraid to act and we will not back down to those who have taken the law into their own hands.

In the last few weeks I've received literally hundreds of calls from teachers threatening to work against me in the next election. This they've done on orders from their unions. They've swamped government MPPs' offices with calls, letters and faxes. Some of them have been sitting and calling one after another across the province in different towns and school boards, trying to leave a false and exaggerated impression that there is a more widely based opposition to the bill. They call us reading from a union script. You've all had the calls. They rarely say, "I'm a teacher." They're fooling no one because for every one of those calls, I've had three or four calls from parents that told me: "Don't you dare back down. These changes are long overdue. Get control of our education system."

Here's what I tell the teachers who've called my office. You might want to quote me. Since being elected, I voted to cut my own pay to 1987 levels. I've cut operating costs from my predecessor —

Mr Dwight Duncan (Windsor-Walkerville): On a point of order, Mr Speaker: I'm sure the member didn't mean to allude to the fact that somehow MPPs did not get a raise. It's completely incorrect.

The Acting Speaker: This is not a point of order. The member for Halton Centre, you have 43 seconds.

Mr Young: I tell the teachers who call my office my pension is gone and that my riding and my job disappear before the next election. That's what I've given up personally to build a better future for my children. Then I ask them, "What are you prepared to give up?" What I hear on the other end of the line is silence. The answer isn't in their script.

The Acting Speaker: The leader of the official opposition.

Interjections.

Mr Dalton McGuinty (Leader of the Opposition): It's my privilege and pleasure to participate in a very important debate. I've only just begun and I'm delighted already to see that I've piqued the interest of government members, so I feel good about this already.

Interjection.

The Acting Speaker: Order. You're not in your seat, and you're not in your seat either, so I don't want to hear you heckling.

1740

Mr McGuinty: I think it's important for us to remove ourselves from the heat of this debate just for a moment and to carefully consider what it is we're talking about here when we talk about education and the reform of education. I think most Ontarians today recognize almost innately that education is the means by which we can assure ourselves of a bright future. If we toy around with that, if we play with that, if we cause it harm, then what

we are effectively doing is causing some severe damage to our future. That's why whatever we do when it comes to education, we have to be careful. I think it's vital as well that we capitalize on all of the resources that happen to be available to us.

Who would I include among the resources? I think it's obvious. If you want to bring about real, lasting, substantive, positive change inside the classroom, it seems to me that you can't do that without the goodwill of the people who happen to work there, the people who can offer all kinds of expertise about what works and what doesn't work.

There are some people who accuse our teachers of standing against change. Over the last 10 years I think there have been seven major changes to our curricula in Ontario and teachers each time have responded in the best possible way they could. To say that our teachers stand against change is to indicate clearly that you don't understand what our teachers are all about. However, what they do want to do, and I think it's important for all of us to understand that, is get involved in lending shape to that change.

In order to best understand what the government will do with Bill 160, it's important for us to understand what it has already done to date. First of all, let's start with the promise contained in the Common Sense Revolution. There was a specific promise to the effect that when it came to education, this government would not make cuts to classroom spending. Clearly this government has broken that promise.

Interjection.

The Acting Speaker: Member for Brantford.

Mr McGuinty: There is no doubt this government has broken that promise in three specific areas. When it comes to junior kindergarten, to date 60,000 four-year-old Ontario children have been deprived of that valuable educational experience. Over two dozen school boards in Ontario are no longer offering junior kindergarten programs to our four-year-olds. I'll tell you why that's important. I've said it a number of times in the Legislature and the government members all understand this and that's why it's so reprehensible for them not to continue to fund it fully.

Mr Ron Johnson (Brantford): On a point of order, Mr Speaker: The member across knows full well that it was school boards that cut those programs, not the government.

The Acting Speaker: That is not a point of order.

Mr McGuinty: This government is going to save \$145 million as a result of the reduction in funding it offers to school boards when it comes to junior kindergarten in Ontario. The government has made its usual tradeoff. It focuses entirely on the dollars, on the tax cut. It has an unhealthy obsession with all matters economic. What that means when it comes to education is our kids are losing out.

We've had a number of by-elections; in fact, four in the province. I'm not sure if government members took advantage of the opportunity, but if you go out there and

knock on any door in any community anywhere in this province and ask people, "What do you prefer, a tax cut or quality education, a tax cut or quality health care?" you know as well as I do what the answer is going to be. People will put quality education and quality health care over a tax cut any day. We're losing junior kindergarten at a time when we all recognize and when experts tell us that the single more important indicator of academic success is how ready you are to learn when you get into kindergarten. We simply cannot, in a knowledge-based global economy, afford to do without junior kindergarten.

The government has also made cuts to special education. Again, I'm going through some of their track record. They have made cuts to special —

Interjection.

The Acting Speaker: Member for Brantford, I don't want to warn you again.

Mr McGuinty: For me, when we're talking about making cuts to programs for our children who have learning difficulties, this isn't purely a financial issue, it's a moral issue. In Ontario, again, our history has been to ensure that we look out for those who can't look out for themselves. By and large, that has been our history until the election of the Mike Harris government. This manifests itself perhaps nowhere more importantly and more visibly than through the cuts that have been made to special education, to programs that help our kids who have learning difficulties learn.

The Harris government is also making cuts in the area of adult education. The government members are very good at telling people on a regular basis that they've got to get up, get out and get a job, that they've got to fend for themselves, that they have to do what they can, that they have to assume responsibility over their own lives. Well, what about those people who've only got grade 10? If you're 24 years of age and you've only got your grade 10 and you're making a genuine effort to get ahead, one of the first things you're going to want to do is to be able to complete your high school. This government is now making it extremely difficult for school boards throughout the province to deliver high school education to adults. You think it's tough getting a job with a university degree or a college diploma? Try getting that job if all you've got is your grade 10 education. We have an obligation to ensure that our adults who want to complete their high school learning can do so, and right now this government is making that extremely onerous for our adult learners.

Let's take a look at a bit of the track record. Not only have we had cuts to junior kindergarten, special education and adult education, we've got schools now that are experiencing some of the problems connected with the loss of speech pathologists, school psychologists and librarians. We also have a Premier who has made it his specific mission to undermine, to degrade public education in Ontario.

This was brought home to me in the most poignant way possible, I think. The other day I had the opportunity to speak in a high school classroom of OAC students. When I go into a high school classroom, I'm looking for signs that these young people are ready to infuse us with some

highly oxygenated red blood, people who are going to come out of there and take on the world, look for challenges, rock the boat and look beyond the here and now to what can be. That's what I'm looking for from our young people. But when I go into high school classrooms lately what I get is the impression from these young people that they are shrivelled up, that there is a loss of idealism and that there's a sense that the entire weight of the world is on their shoulders.

One of the most significant contributing factors to that, I would argue, is our Premier, who steadily bombards our students with the message that they're not cutting it, they're not measuring up. In effect he's telling our students that they're losers and they're not going to be able to compete in this new global economy. I think that is simply unforgivable. The job of the Premier in the greatest province in the most blessed country on the planet is to tell us how we're going to make it and to talk about all the things we've got going for us. For the Premier to go inside our classrooms by way of television and by way of his advertising and tell not only our teachers but our students that we're inept, that we're inadequate, that we can't compete, to me, once again, is unforgivable. You just can't do that kind of thing and as the Premier in Ontario you shouldn't be allowed to do it.

Understanding what the government has now done vis-à-vis public education in Ontario, that it has made cuts to the extent of \$1 billion — and our students are paying for that — and understanding that the Premier has carefully constructed a crisis to undermine and degrade public education in the province, now the government comes forward with Bill 160. Let's understand, based on the track record, what it is the government wants to do with Bill 160.

First of all, it is now accepted by the Premier that he intends to cut \$670 million further; in addition to the \$1 billion in cuts, \$670 million in new cuts from education in Ontario. We understand already some of the tragic downside of the cuts to education. I've already talked about them: loss of junior kindergarten, loss of special education programs, loss of adult education programs, loss of speech pathologists and school psychologists. Now we're going to take another \$670 million out of the system.

Furthermore, the government has said time and time again that they intend to ensure there are thousands fewer teachers working in our system of public education in the province. I gave the Minister of Education the opportunity once again today to tell me how many fewer teachers there are going to be in Ontario teaching our students. He would not or could not give me that answer.

1750

Somehow the government would have us believe that if we were to vote in favour of Bill 160, a bill which is going to enable the government to cut a further \$700 million from education and to lay off thousands of teachers, somewhere in the neighbourhood of between 4,000 and 10,000 teachers, we'll be ensuring that we are going to put in place a measure that's going to bring about further improvement to the quality of education we offer Ontario

students. Nobody buys that. The government should understand that. We've had all kinds of evidence from people outside of this place, let alone evidence from people inside this place, that nobody believes that. Many, many government backbenchers know in their heart of hearts that this is not about improving education, that this is about taking money out of the system, and is about centralizing control over public education.

A number of backbenchers have spoken out already against this bill. They understand what the folks back home are telling them. They understand that at some point in time when you're in government it's important to look ahead and talk about and think about and do work for re-election. Right now, many backbenchers understand that the way you get re-elected is by doing what the folks back home sent you to do. If there was any doubt before, there is none now. The folks back home are saying, "You can toy with all kinds of things, you can find all kinds of savings, but don't play around with education."

What you're doing with Bill 160, when you're centralizing control, when you're removing money from the system and laying off thousands of teachers, you're doing much, much more than simply playing with public education; you're causing what I would argue to be irreparable harm. If not entirely irreparable, it will take years and years and years before it can be turned around. In the case of some of the children caught up in the system, there is an excellent chance that we will never be able to catch up and give them the kind of quality education they deserve and that we have an obligation to provide in Ontario.

One of the things that galls me most about this particular bill coming from this government — this is the government that was going to do away with large government institutions, it was going to bring forward the age of small government, government that was going to be more efficient and that was going to ensure that people closest to the decision-making will be able to make those kinds of decisions. What we've got here is a government that is going to centralize power over public education in a way that has never, ever before been seen in our province. This, from a Conservative government; this, from a Tory government; this, from a government that stands against making government bigger.

This is a government that stands against government, and yet when it comes to public education in Ontario, what we're going to have is centralized control over the minutiae of delivery of education inside our classrooms. Not only is that going to be centralized in government, it's going to be further, in a sense, subcentralized within cabinet, so that not even backbenchers and, in reality, not even many of the members of cabinet are going to have significant say in what's going to happen in terms of the delivery of education in our province.

If I hear one more cabinet member speak out against Bill 160, I think I'm going to flip. We've got backbenchers speaking out against it, we've got cabinet ministers speaking out against it, even to the point where the Minister of Education himself, a man well known in his previous life as a municipal politician to be fiscally responsible

and to understand the basic workings of democracy, said he is effectively very, very uncomfortable with the notion that he is going to be able to, with the stroke of a pen, levy \$6 billion in taxes in a back room in Ontario. That is unprecedented. That has never before been seen in our history.

Why are we doing these kinds of things? Why is this government bent on taking control of public education in Ontario? I think the reasons are twofold. First of all, the reason that's more apparent is quite simply that this government feels duty bound to honour an irresponsible and ill-considered election promise to deliver a tax cut to Ontarians. I can tell you that if you go out there and knock on doors anywhere in the province and ask people, "What's more important to you, ma'am, quality education or a tax cut?" "What's more important to you, sir, quality health care or a tax cut?" people will tell you time in and time out that, when it comes right down to it, they're for education and they're for health care.

The other thing we should keep in mind, and this is not so readily apparent but I think it's not reading too much into it, is that this government ultimately stands against a healthy, viable system of public education in Ontario. What this is doing, in combination with the attacks levelled by the Premier and the former Minister of Education against the public system, is very, very clearly undermining public education, and if we lose that —

The Speaker (Hon Chris Stockwell): Thank you.

Mrs McLeod has moved opposition day motion number

3. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

Call in the members; this will be a five-minute bell.

The division bells rang from 1757 to 1802.

The Speaker: All those in favour please rise one at a time and be recognized by the Clerk.

Ayes

Agostino, Dominic
Bartolucci, Rick
Bisson, Gilles
Bradley, James J.
Brown, Michael A.
Caplan, David
Christopherson, David
Churley, Marilyn
Cleary, John C.
Colle, Mike
Conway, Sean G.
Cordiano, Joseph

Crozier, Bruce
Cullen, Alex
Curling, Alvin
Duncan, Dwight
Gerretsen, John
Grandmaître, Bernard
Hampton, Howard
Hoy, Pat
Kormos, Peter
Kwinter, Monte
Lalonde, Jean-Marc
Lessard, Wayne

Martin, Tony
McGuinty, Dalton
McLeod, Lyn
Miclash, Frank
Morin, Gilles E.
Phillips, Gerry
Pouliot, Gilles
Pupatello, Sandra
Silipo, Tony
Wildman, Bud
Wood, Len

The Speaker: All those opposed please rise one at a time and be recognized by the Clerk.

Nays

Arnott, Ted
Barrett, Toby
Beaubien, Marcel
Boushy, Dave
Brown, Jim
Carr, Gary
Chudleigh, Ted
Cunningham, Dianne

Hastings, John
Hodgson, Chris
Jackson, Cameron
Johns, Helen
Johnson, Bert
Johnson, David
Johnson, Ron
Leach, Al

Preston, Peter
Rollins, E.J. Douglas
Ross, Lillian
Runciman, Robert W.
Saunderson, William
Shea, Derwyn
Sheehan, Frank
Skarica, Toni

Danford, Harry
Doyle, Ed
Ecker, Janet
Elliott, Brenda
Eves, Emie L.
Fisher, Barbara
Flaherty, Jim
Fox, Gary
Froese, Tom
Galt, Doug
Gilchrist, Steve
Grimmett, Bill
Guzzo, Garry J.
Hamick, Charles

Leadston, Gary L.
Marland, Margaret
Martiniuk, Gerry
Maves, Bart
McLean, Allan K.
Munro, Julia
Murdoch, Bill
Mushinski, Marilyn
Newman, Dan
O'Toole, John
Ouellette, Jerry J.
Palladini, Al
Parker, John L.

Smith, Bruce
Snobelen, John
Spina, Joseph
Sterling, Norman W.
Stewart, R. Gary
Tsubouchi, David H.
Turnbull, David
Vankoughnet, Bill
Wettlaufer, Wayne
Wilson, Jim
Witmer, Elizabeth
Wood, Bob
Young, Terence H.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 35; the nays are 64.

The Speaker: I declare the motion lost.

It now being past 6 of the clock, this House stands adjourned until 6:30 of the clock this evening.

The House adjourned at 1805.

Evening sitting reported in volume B.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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of Ontario**

First Session, 36th Parliament

**Assemblée législative
de l'Ontario**

Première session, 36^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Monday 24 November 1997

Lundi 24 novembre 1997

Speaker
Honourable Chris Stockwell -

Président
L'honorable Chris Stockwell

Clerk
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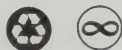
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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 24 November 1997

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 24 novembre 1997

The House met at 1831.

ORDERS OF THE DAY

FAIRNESS FOR PARENTS
AND EMPLOYEES ACT
(TEACHERS' WITHDRAWAL
OF SERVICES), 1997

LOI DE 1997
SUR LE TRAITEMENT ÉQUITABLE
DES PARENTS ET DES EMPLOYÉS
(RETRAIT DE SERVICES
PAR LES ENSEIGNANTS)

Resuming the adjourned debate on the motion for second reading of Bill 161, An Act to provide fairness for parents and employees by providing remedies relating to the province-wide withdrawal of services by teachers between October 27 and November 7, 1997 and to make a complementary amendment to the Education Act / *Projet de loi 161, Loi favorisant le traitement équitable des parents et des employés en prévoyant des recours à la suite du retrait de services par les enseignants à l'échelle de la province entre le 27 octobre et le 7 novembre 1997 et apportant une modification complémentaire à la Loi sur l'éducation.*

Mr James J. Bradley (St Catharines): This bill is necessitated by Bill 160, and to discuss this bill without making many, many references to Bill 160 would be doing a disservice to members of this House, so I may make the odd allusion to Bill 160 in my remarks.

What we have happening here with Bill 160, which brings about the necessity of Bill 161, is we have a government which has gone wild in its efforts to make revolutionary changes in the province without considering the consequences of those changes. I suspect some of the more moderate members on the government benches —

Mr Wayne Wettlaufer (Kitchener): Jim, you mean me.

Mr Bradley: I will not say who I'm looking at today; not the member for Kitchener, I assure you — must be extremely concerned at the direction in which the government is moving.

First of all, even people who agree in a general sense with the direction in which this government is bringing the province believe the government is moving far too

quickly, far too drastically and not assessing carefully the consequences of its actions. There have been some initiatives in the field of education which have been forthcoming from previous reports, most recently the Royal Commission on Education, which was initiated under the NDP government. There were some suggestions there on changes and improvements to the education system, and some of the suggestions were positive and I think received the endorsement of people of all political backgrounds.

The government, however, has selected or cherry-picked, as we say, a few of those recommendations and in isolation has endeavoured to implement them and, in doing so, has launched a major attack on teachers and trustees in Ontario. A lot of people forget that the trustees as well have been under assault. These are people who have dedicated themselves to education at the local level. They're from all political parties. I suspect if you looked across the province, a plurality of those who are trustees might well be adherents to the Conservative Party. That would be a guess. I can't quantify that, but that would be my guess. Yet we've had the Premier and others in the government launch attacks on these individuals as though they were some evil beings out there to ruin the education system and bankrupt the province, which is simply not true, and of course they have launched an attack on teachers, suggesting that somehow they have a very easy job and shouldn't you, as people in Ontario, be resentful.

I remember one of the presentations. I was just going through some of the material. One of the presentations was made in St Catharines by a representative, in this case, of the Catholic school system. She wrote as follows:

"We are here to speak to you this afternoon about the proposed implementation of Bill 160 which, instead of harnessing and utilizing the power and strength of our professionals, is sterilizing them.

"The government is burning bridges instead of building bridges.

"This government is looking for simplistic answers rather than working in partnership with stakeholders to solve problems together.

"This government has gone on record as saying that education in Ontario is broken and needs to be fixed. The minister wanted to create a crisis in a system which is recognized worldwide for its excellence. The crisis is here. Our teachers and students are at the centre of the crisis, although we did not create it."

She goes on to say, and I think this is particularly telling:

"The demeaning of teachers as a special interest group is an insult to the teachers who have devoted their lives to the education of our children. Teachers are professionals who have knowledge, skills, experience and integrity.

"I'm proud to be a principal of a large Catholic elementary school. Every day I see professional teachers demonstrating their commitment to excellence in our school.

"Despite the constant barrage of insults and insinuations about the lack of quality in education, the teachers with whom I work come to our school filled with enthusiasm for their young pupils.

"Every day:

"I see my fellow teachers arriving long before classes begin. They work long before the day officially starts, running extracurricular programs like cross-country, volleyball practices, to meet with parents about student progress and concerns, to name a few.

"I see teachers remaining at school long after school has ended. They stay at school to provide extra programs for students in need, craft clubs, chess clubs, to practise for the choir and drama presentations, to plan to implement ministry programs.

"I see teachers giving up their lunch-hours to run Rainbows programs for students in need.

"These are typical happenings in any school in the province.

"These activities are carried on by the free choice of teachers in any school in the province. Teachers are committed to providing the best, well-rounded education possible for their children.

"What benefit does this teacher-bashing serve when we have the committed people in the schools?

"Teachers readily accept a multitude of roles: That of educator, curriculum planner, decision-maker, counsellor, social worker, coach, adviser to parents, the list goes on and on.

"One of our grave concerns about Bill 160 is that it would allow uncertified, unqualified people to assume these critical roles."

It goes on and discusses many of the concerns about education. But I guess the point I wanted to bring out was that this is typical of teachers. I was over at Lakeport high school on Friday afternoon. I wanted to catch a girls' basketball game of a senior girls' basketball championship in our city, Governor Simcoe against Lakeport. Subsequent to that was Governor Simcoe against Eden high school, another high school in our area, where it was volleyball.

Here's what I ran into. Coaches who were coaching at this time had been coaching all week long, coming in in the morning, staying after school at night and coaching both volleyball and basketball, and both the coaches from this particular game, one from the girls' basketball game and one from the boys' volleyball game, immediately were leaving the school to go to Hamilton, to Bishop Ryan, to coach boys' midget basketball teams, in this case in a tournament in Hamilton.

These are people who had been out all week working with these students, and I said rather wryly to one of the people, "I suppose you've put in your so-called three hours and 15 minutes today, have you?" I'll tell you, the response was — I wouldn't say bitter because they're more than happy to do so to work with the students, but they were very resentful of the remarks of the Premier and of those ads that are appearing on television nightly, the ads about which Elizabeth Witmer, the Minister of Health, the former chair of the Waterloo Board of Education, the former secondary school teacher, has made some reference and not in particularly complimentary terms, and others, I'm sure, are somewhat embarrassed if they're not part of the right-wing rump of the Conservative Party.

The Reformers in the party, I'm sure, would feel perplexed and concerned about the nature of those ads, paid for by all taxpayers in Ontario, not by the Conservative Party, not by the individual Conservatives, but by all taxpayers, using taxpayers' dollars to attack others and have concern about the general tone of this government as it approaches some of the confrontations in which it has engaged.

First of all, they didn't like the rules in this Legislature because they allowed the opposition to debate for a longer period of time than the government liked or allowed a few bargaining chips, if you will, for the opposition to try to get more hearings across the province or some concessions from a government with an 82-seat majority government. What they did was they changed the rules. Unilaterally, they embarked upon a course of action to change the rules of this House so they would be able to grease the skids for the revolutionary program in Ontario.

1840

I say this is not good for all members of the House — not just the opposition, not just those against the government who may be outside of this House, but not good for the democratic system. If there's going to be one general condemnation of this government, it may not be found in any one of the particular bills, though they are offensive to many people within our society, but rather the intimidating, bullying approach and the stacking of the deck and changing of the rules to allow the government to get its way on all occasions, not even consulting moderate Conservatives, middle-of-the-road Conservatives who want to build a consensus in this province. Instead of having a consensus, instead of having compromise, all we have is confrontation after confrontation after confrontation with everyone in the province.

The Deputy Speaker (Ms Marilyn Churley): Questions and comments?

Mr Len Wood (Cochrane North): I agree with the member for St Catharines that Bill 160 is very destructive to the education system in Ontario. Some of the comments he has been making are going to come back to haunt not only the cabinet ministers and the Premier but some of the backbenchers, as the campaign starts to gear up for the next election. There's no doubt about it that the parents, teachers and students are not going to allow the attack that has been brought by this government against all the kids

right across this province. It's not an education improvement act; it's the destruction of the public education system as we know it in Ontario.

There are petitions going out and being circulated all across this province. As our leader mentioned during the opposition day, 700,000 names on a petition should be enough to force this government into a referendum. Even if Bill 160 is passed, it should be repealed and forgotten about forever, to let the next government rebuild after all the destruction that is taking place.

As the member said, it's not only an attack on the teachers, the parents and children, it's an attack on the trustees. Trustees out there are seeing their number dwindle and being blamed for what Mike Harris says is poor-quality education. When he's over in Europe he brags about how Ontario is open for business, we have a good trading system and everything is well in Ontario, yet when he comes back he deliberately goes out and attacks, through TV campaigns, advertising campaigns and one thing or another, completely bashing everything this province has stood for in education over the last number of years. It's not called for; it's a deliberate, unnecessary attack on the education system.

Mr Bart Maves (Niagara Falls): I want to make some quick comments on the member for St Catharines's speech on 161. I note that the member did not at all tell us what his position was on Bill 161, or for that matter on Bill 160. Instead he talked about television ads and propagated myths about government comments about teachers. Many of the comments he attributed to the government have never been uttered by government members.

It would have been more interesting for me to find out his opinion on Bill 161. Does the member opposite support making payments of up to a maximum of \$40 per day per family to the parents of school-age children to help alleviate the impact of the strike? We don't know what his position is on that. We don't know if the member opposite agrees with protecting employees who had to care for the children during the strike. We don't know if the member opposite agrees with the bill which protects teachers who refused to participate in the strike from union reprisals.

It would have been nice if the member had taken his 40 minutes that he used Thursday and another 10 minutes that he used today to at least touch on some of these issues and let us know what his position was. I know it's very easy to play on people's emotions, but I guess it's not so easy for Liberals to tell us what their actual position is on some of these issues.

I was here on Thursday for the first part of his speech. You didn't tell us then either. You didn't tell us, when you talked about Bill 160, whether you agree with the removal of school boards' powers to set or increase education property taxes. Twenty-four studies have told us that since 1950, that education shouldn't be on property taxes. We still don't know the member's position on that.

We eliminated the pay and benefits of school board politicians, replacing them with a smaller honorarium. We don't know what the position is on that. We're requiring fair and non-discriminatory funding of public and separate

school boards. We don't know the member's position on that.

Mr Dwight Duncan (Windsor-Walkerville): I'm glad to speak after my colleague from St Catharines, who I think said clearly and unequivocally what his views and the views of the opposition are about education. For one, we do have to have a fairly funded education system. Like my colleague from St Catharines, I've seen what can happen when the education system is not properly funded, and like my colleague from St Catharines, I don't support a government that says one thing and does another, that says it wants to improve the quality of education yet cuts more than \$1 billion out of our children's classrooms.

I support my colleague from St Catharines when he says that morale is down in our schools, not only among our teachers but among our students. I too have been to schools. I've been to Catholic Central in my riding, I've been to Lowe, to Walkerville, to Riverside, to Brennan, to Herman, to Kennedy, all these schools. What is the great problem? It's a morale problem. We're tired of the falsehoods that are propagated by a government that has no understanding of education, by a government that says one thing and does another, by a government that's more interested in spending money on propaganda than it is on spending money on good education.

I think the member for St Catharines was clear and I think he was eloquent when he said we should be committing to education, we should be committing to making our classrooms work. The real issues are about funding. The real issue is not about this or that or some small thing; it comes down to funding and it comes down to control, two issues which this government has a conception of, a conception that's all wrong. The member for St Catharines is right when he says the government's record is nothing but a record of falsehood.

Mr Peter Kormos (Welland-Thorold): I was watching and listening to the member for St Catharines on closed-circuit television here. I've got to tell you, he and I in Niagara region have been very lonely. There are six MPPs in Niagara region, and the member for St Catharines and I have been quite lonely, albeit enjoying each other's struggle against Bill 160.

Mr Maves: Be careful, Peter. I have had an empty chair beside me with your name on it.

Mr Kormos: I'll tell you this: People across Niagara region know full well what Bill 160 is all about, and they know what 161 is all about. They've been robbed; they've had \$667 million to be pulled out of education in this coming fiscal year alone, and what does the government do after taking almost \$1 billion in one year alone away from their kids' education? The government tries to buy them off with a crummy \$400.

You know what? Each and every one of those families, every single person who wants to apply for that \$400, deserves it after what this government has done to them, not just with respect to education and Bill 160. Lord knows, there was enough money pulled out already last year. After what this government has done to them, a little

bit of recompense in the amount of \$400 nobody quarrels with. But the fact that it's being done to try to buy off people who simply will have no more of this government's cruel anti-child, anti-woman, anti-senior, anti-student, anti-sick person agenda, that, I tell you, is shameful.

1850

Mr Bradley: The best way to respond to the respondents is to read a letter from the Synod of the Diocese of Niagara, Anglican Church of Canada, to Mike Harris:

"Dear Premier Harris:

"This letter is sent out of profound concern for our province and especially for our children in all our schools. We wish to join our voices to that of a very large group of citizens in Ontario who are very upset about Bill 160 and the whole manner in which your government is handling this hugely important issue. We are the more concerned when we discover that a chief aim of your government on this matter is to effect a huge financial savings from education so general tax cuts can be funded.

"As bishops in the Anglican Diocese of Niagara, we speak for every member of our 117 congregations in registering profound concern. We know that differences of opinion regarding solutions to problems of public education exist within our congregations, but we are certain of everyone's deep anxiety that a fair, equitable and just solution be the goal driving all parties involved in this critical discussion.

"We cannot discuss Bill 160 in detail in a letter but we now register particular concern regarding one section. The removal of responsibility from local authorities and the placing of almost exclusive authority for all aspects of education in the hands of one person, namely the Minister of Education, is alarming and dangerous in our estimate. Our Anglican experience tells us that authority is healthier when it is shared and when it is dispersed among several or many bodies rather than concentrated in the hands of one person.

"We urge you, Mr Premier, to do two things:

"1. Delay the passage of Bill 160 so that more public discussion can take place across the province....

"2. Examine again the whole thrust of Bill 160 to see that a more democratic and dispersed system of responsibility is built into the legislation."

This is most of the letter. It is signed by the Bishop of Niagara, Walter Asbil, and I must say I agree with the Anglicans in Niagara on this score.

The Deputy Speaker: Further debate?

Mr Bud Wildman (Algoma): I am pleased to rise to join in this debate on Bill 161. I must say, though, that I've had some difficulty determining what the position of the government is and the reason for its position on this bill. I want to analyse the bill on the basis of the context of this whole issue and what led the government to introduce such legislation.

Initially when the Minister of Education and Training announced that the government was going to give \$40 a day — actually, the government wasn't going to give \$40 a day; the government was going to take \$40 a day from the school boards and transfer it to the parents who had

children in the system because of the disruption in classes. I thought, "I suppose this makes sense, because a lot of these parents would have additional expenses related to child care, particularly for very young children, if they were both working outside of the home and were not able to look after them themselves."

So initially I thought, "Okay, what's going to happen is that the government is going to say to parents, 'If you incurred additional costs as a result of the disruption in classes, this money will be used to reimburse you.'" I assumed, of course, that the parents would have to keep their receipts from the child care and they would at some point submit these receipts — I've now found it would not be to the provincial government but to the school board — and they would be reimbursed for that portion of their additional costs which would fit under the criteria in the legislation.

I looked forward to the legislation to see how this would work because, frankly, it made sense to me that if there were parents who had children under the age of 13, which is the arbitrary number used, but that's fine, who had to get child care for their children during the disruption of classes, they should have their expenses covered, or whatever portion of those expenses it would be possible to cover under this program.

But I must say I was nonplussed when I saw the legislation and heard the first interventions in the debate by members of the Conservative Party, because the first thing I was informed about by the new Minister of Labour when he got up to speak was that there are no receipts required to receive this money. In other words, an individual can just apply. The parent does not necessarily have to have incurred any additional costs; they can just apply.

I wondered how on earth a government that seems to pride itself on fiscal responsibility could suggest that they were just going to give \$40 a day away to parents with no requirements for justification. I gleaned from the comments of the government members in the debate, however, that the government is attempting to justify this giveaway of tax dollars to parents not on the basis that they incurred additional costs during the disruption, not on the basis that they had to pay out money to look after their children, which I think would be quite justified. If people needed to spend money to get additional child care and we're going to reimburse them, that's great. But no, this isn't for that. The government members said: "No, no, no. It's not related to additional costs for child care. This is compensation for inconvenience." They didn't define what "inconvenience" meant. It wasn't additional cost; it was inconvenience. Any parent of a child 13 years of age or less in Ontario who felt inconvenienced could get this \$40 a day. I know it's hard to believe that a government that, again, prides itself on fiscal responsibility would be so irresponsible as to say they're just going to give out \$40 a day if I happen to feel inconvenienced, but that's what they're going to do. That works out to about \$400 for any parent who feels inconvenienced.

I'm wondering what happens if it happens to be a person who is a stay-at-home parent; that is, a parent who

does not work outside of the home. I suppose such a parent could argue that he or she was inconvenienced by having the kids at home, that this was an inconvenience. I have never seen my children as an inconvenience. As a matter of fact, I think my children are a blessing, and I know my wife feels exactly the same way. If she had her children at home with her, she wouldn't consider that an inconvenience. The question then is, would we qualify for this \$40 a day? No, we wouldn't, because my older children are over 13 and my little girl is not yet of school age, so we couldn't argue, I guess, that we were inconvenienced. We wouldn't qualify for this. But I guess a stay-at-home parent who is normally at home but doesn't have the kids at home during the day because they're at school could argue that she or he was inconvenienced by this disruption and therefore they qualify for \$400.

I've really tried to analyse this, because I couldn't believe that the Minister of Labour, particularly the minister who I've heard speak prior to his appointment to the executive council and who has been very vehement in talking about getting rid of the deficit, eliminating wasteful spending, who has said we must have fiscal responsibility, we must have fiscal accountability, would actually get up and say, "We're giving away 400 bucks to anybody who wants it, as long as you have a kid under 13 or you have a child who is older than that who happens to be disabled and is a special-needs child."

I couldn't believe it, so I really tried to think about this. I came to the conclusion that this is really conscience money. The government feels bad that they've put themselves and the rest of the province, the people of Ontario, into such a terrible situation, that we had such a disruption of classes, and the government is trying to make itself feel better; it's trying to assuage its guilt for having caused this disruption of classes. By doing that, it's giving out \$400 to anybody who asks for it, as long as they have a kid who's 13 years of age or younger, because they were "inconvenienced."

1900

The question is, why would this government feel so guilty that the government would feel it has to give out this money to people to try and make up for what they've done? What have they done that has caused them to feel so responsible for the disruption in classes that the government has decided it has to give \$400 away to people? That's when I said obviously we have to look at the context of this situation.

What has the government done that has led to this disruption of classes? Why does this government believe it is responsible for having caused inconvenience and that it has to compensate people for that inconvenience? I add the caveat of course that the government is compensating people for this inconvenience with other people's money, not with their money. It is taxpayers' money, but it is taxpayers' money paid to the school boards, not to the coffers of the province of Ontario. So in a sense the provincial government is expropriating the money from the school boards to be transferred to the parents, and of course it goes to parents. I thought if it really was just

conscience money and trying to pay people off, trying to make themselves feel better, they might be prepared to compensate anybody, not just the parents. Surely a lot of people in this province were inconvenienced by this disruption, not just people who had children under the age of 13. I think it's interesting that they don't allow teachers who are parents to claim for this money.

Was it in York where they had the legal work stoppage during the teachers' political protest one week? Get this. The parents in York are only going to be allowed to claim for one week, so they'll only get 200 bucks, they won't get \$400, because apparently this government doesn't feel the government was responsible for the work stoppage in York. If they did feel they were responsible for the work stoppage in York, they'd be compensating those parents as well. But no, they're only going to compensate them for half of it, because I guess they feel they aren't responsible.

What has the government done to make itself feel so responsible that it has to try and make itself feel better by giving away money to people?

Over the last two years, this government has engaged in a concerted attack on public education. The reaction to that has been so severe among the teaching profession that it produced this work stoppage, and that's why the government feels so guilty.

Keep in mind that in the election campaign, the Conservatives had said they would not remove any money from classroom education. They made that commitment to the public. But what happened of course is that after they came into government, the then minister, Mr Snobelen, set about removing \$800 million. Actually, it was \$400 million; on an annualized basis, it works out to \$800 million to \$1 billion. They set about removing \$800 million from the education system and the government argued that this would not cause any problems in the classroom.

They got a shock, though, because not only did it mean that many school boards had to eliminate junior kindergarten, and even in some school boards where they didn't eliminate junior kindergarten, the boards had to change it substantially — sometimes they went to a full-day junior kindergarten every other day, alternating with the kindergarten, so they would save money on transportation — but they also found that certain school boards eliminated adult education, because the government of course cut by 50% the funding for adult education.

The government was prepared for this. The government was prepared to see these programs cut. They were prepared for that. Keep in mind, to be fair to the Conservatives, that they had said originally that they thought junior kindergarten should be optional. They didn't think it should be required. If the Conservatives really believe that junior kindergarten should just be optional, I suppose we can't fault them for saying they're going to take money out of it.

Of course, their cuts to adult education don't work that way. Obviously you would think this government, which claims to be in favour of people improving their life skills, their knowledge, their information, that wants them to become more productive and to care for their families and

to help contribute to society, would be in favour of people getting back to school and upgrading themselves, giving themselves more tools with which to be able to compete in the workplace, to get jobs. You would think this government would be in favour of that, but they're not. They're not in favour of adult education. They don't think adults should go to high school during the day. They don't think that's the right way to do things. They think adults should just go to school in the evening for night classes, for continuing education. Of course, that means it's going to take them much longer to be able to upgrade themselves and get their diplomas and perhaps go to college or to get into the workplace.

Let's leave for the moment junior kindergarten and adult education aside because, on the one hand, the Tories did say they intended to make cuts to junior kindergarten and they thought it should be optional. On the other hand, they say it's okay to discriminate against someone who's over the age of 21 because even if they need the education, they're over 21; they should get it themselves. It shouldn't be the responsibility of the taxpayers to fund it. Okay. It's a problem, of course, because it means there are going to be more and more people continuing on social assistance, but again they've covered that out because they cut the social assistance payments by 21%. I guess it all fits together.

However, keep in mind that the Conservatives said they weren't going to hurt classroom education. The last time I checked, junior kindergarten and adult education courses took place within the four walls of a classroom. Innocent as I am in Tory affairs, I would have thought this counted as classroom education. Junior kindergarten takes place in the classroom, adult education courses take place in classrooms; therefore that would be classroom education. But I'm trying to understand the workings, the analysis that the Tories go through. I understand that junior kindergarten and adult education for them are not classroom education; they don't count. Okay. I'll accept that. I don't quite understand it, but I'll accept it.

But what about classroom education? What did this government do, when taking \$800 million to \$1 billion out of education, to classrooms? Perhaps the worst result was what these cuts meant for special-needs children and special-needs classes. In many, many boards across Ontario, the education assistants who have assisted classroom teachers in providing education to special-needs students have been eliminated.

1910

Mr Peter L. Preston (Brant-Haldimand): That was the boards' fault.

Mr Wildman: The government says that's the boards' fault. Now, the boards were in a problem, of course. On the one hand, they got less money in grants from the government, and on the other hand the Minister of Education and Training was saying to them, "Don't raise taxes." When some of them had the gall to raise taxes, they were roundly criticized by the Conservatives.

The arithmetic doesn't work. If you don't have enough money and you can't raise more revenue, then what do you have to do? You have to cut somewhere.

Mr Preston: Cut the fat out of the board.

Mr Wildman: Many of the Conservative members, in the give and take in this House, find it enjoyable to make these comments.

But what are we saying about these special-needs kids who are no longer getting their needs met? That is a serious problem. The fact is, we now have situations where we have classes of 25 or 30 students, sometimes more, and maybe as many as three or four are special-needs students within that classroom and the teacher does not have an education assistant to help with those special-needs kids. The teacher has a choice to make. The teacher either has to spend more time with the special-needs students or she doesn't spend as much time with them as they might need in order to meet the needs of the other students. In either case, a significant number of students within that classroom, special-needs students or other students, are not having their needs met by the teacher. That is a result of the cuts of the government and the fact that the government didn't want more money collected in property taxes. I understand the arithmetic. Many of the people on the other side don't. All I can conclude is that they need remedial math.

What else has happened? I think the worst example is what has happened to special-needs students. That's my most serious concern. In my own area, in the central Algoma board, all the education assistants have been cut. That didn't happen before the election. Those special education assistants weren't cut before 1995. They were all cut after 1995. There are no special-needs kids with educational assistants in the central Algoma board any more. They've all been cut; all the education assistants have been cut in that board. That was done last year as a result of the cuts in grants. That happened after 1995, not before.

The question is, what's happening to those kids? They're either having their needs met and other kids in the class are not getting their needs met, or they aren't and they're acting out and they're affecting the atmosphere in the classroom and they're adversely affecting the performance of the other kids. In either case, they're both losing.

What else has happened? We've seen where boards have cut the number of times they clean the classrooms, clean the buildings. We've seen the situation where boards have cut the number of resources they pay for for classrooms and in some cases, many cases, teachers are having to make up the difference. They're paying out of their own pockets to buy pencils and paper and paints for their classes. Why is this happening? It's happening because the boards don't have enough money.

What else has happened? First off, they don't have enough textbooks for the kids, so the kids can't take them home to do homework. In many cases they are quite old and they are obsolete. For instance, most of the textbooks in use in the high schools and elementary schools today were printed long before the political changes in eastern

Europe. All the geography books and history books are out of date, and they haven't been replenished. The boards can't afford it.

What has happened in other parts? Now this, the government argues, is not classroom education, because they make this artificial division; they say libraries aren't part of the classroom, so therefore they can make cuts to libraries and it's not affecting classrooms and it's not in any way going back on the commitment they made. That's silly. The resources, the books, the videotapes, the other educational resources that are kept in and catalogued in libraries are there to assist the teachers and the students in their educational program in the classroom. It's part of the classroom education, but this government says no, it isn't, it's not part of classroom education, and therefore it's okay to cut there. So boards did cut there, and they've cut substantially.

Other programs that have been adversely affected are ones that I guess the government doesn't see as core programs in education. There have been cuts in phys ed, which I think is really shortsighted. It's a basic tenet of education that a healthy body and a healthy mind go together. If we don't ensure that children get good and adequate exercise, they're not going to do well physically and they are not going to do well intellectually either.

What else has the government changed? Thanks to the cuts the government made, we now have significant cuts in music programs in schools. In the elementary schools the music programs have been eliminated altogether in many areas, less so in the secondary schools. In many cases the instruments available to the music programs need to be replaced but haven't been, and so on. These are cuts to education, cuts to classroom education.

This has happened because the government took the position it did, that it was going to cut the grants to the boards and it was going to advise boards that they shouldn't raise taxes, and where the boards did, as I said, they criticized boards.

I think that begins to explain why this government feels so guilty. The evidence is there. They wouldn't be handing out this conscience money, without any requirement that someone be able to show they actually incurred expenses, unless they felt guilty, because they believe in fiscal responsibility. They wouldn't do this kind of thing unless they felt guilty.

They feel guilty because they broke their promise. They promised they weren't going to cut classroom education and they know they did. There's still lots of bravado out there where they say, "No, no, we didn't affect the classroom, and if there were any cuts, it's not our fault; it's the school boards." They say that, but deep down they know the truth and deep down they're very guilty. They feel responsible for the adverse effects on education for our students. That's why they're going to give out this money, to try and make themselves feel better. It's to assuage their guilt. That's the whole reason for it.

What else has this government been doing over the last two years, particularly the previous Minister of Education and Training? He set about systematically undermining

the morale of teachers and of the whole education system. We've heard a lot about his speech about creating a crisis and so on; I won't go into that again. But we know what he said in this House, what he said publicly, what he said right across the province. He criticized teachers. He said there was all sorts of waste in the education system and it centred on teachers. He said teachers are overpaid and underworked, that they don't have enough to do, they only work a few hours a day, they have too much preparation time, they have too many holidays, they have too much time off. To top it off, the Premier at one point said both the teachers and the boards couldn't be trusted to provide quality education to the students of Ontario.

This is a basic insult to the people who care about education in this province. This government has set about insulting people right from the beginning. Again, it's self-defeating. If the government really wanted to reform education, they should know that the people who have to implement the reforms are the very people they are insulting and hurting their morale. It doesn't make any sense.

I think these people across the way are fairly intelligent and it's finally dawned on them — it took them a long time but there was a glimmer of light and it's finally coming through — that they're at fault. They're the ones who caused this problem. They're the ones who made the teachers so angry and so demoralized that they walked out and disrupted the lives of so many people in this province and caused the inconvenience that this government now feels it has to compensate.

1920

I think it starts to explain what Bill 161 is about. If the government members didn't feel so guilty about what they've caused the teachers to do, if they didn't feel so guilty about what they've done to education in this province, they wouldn't be throwing away this money without any accountability and no requirement for receipts. That's why they're compensating for inconvenience, because they know they caused the inconvenience and they feel they must somehow compensate people for it.

What else have they been doing over the last two years? The first major piece of legislation that the government introduced on education was Bill 104, the Fewer School Boards Act. This was a piece of legislation that cut the number of school boards almost in half. What it meant was that we now have one of the largest school boards in North America in Metropolitan Toronto, with enormous numbers of students, and then in other parts of the province, in rural and small-town Ontario, we have enormous geographic boards. In my own area, the Algoma district school board number 2 is now the largest school board in the province geographically. It is completely unworkable. There is going to be chaos in January when these new boards come into effect.

Mr Kormos: On a point of order, Madam Speaker: My apologies to the member for Algoma. What he has to say is far too important to be heard by less than a quorum.

The Deputy Speaker: Clerk, is there a quorum?

Clerk at the Table (Mr Todd Decker): A quorum is present, Speaker.

The Deputy Speaker: Member for Algoma.

Mr Wildman: I appreciate the fact that there is a quorum present, but I do understand why my friend from Welland-Thorold would wonder if there was. Obviously, it might be understandable that many Conservative members would not like to hear about their guilt and don't want to hear why they feel this way. They don't want to understand that this is why they're going to throw away this money without any requirements for receipts and without any requirements to show that people actually spent the money.

In my opinion, any parent who didn't apply for this is nuts. This is a great Christmas bonus. You'll get the money in January to help you pay for Christmas. It has nothing to do with whether you actually incurred costs during the disruption of classes. It just is because the government feels so guilty, they want to pay you off. Well, okay. If it makes the Tories feel better, take the money.

We were just beginning to talk about Bill 104, where this government amalgamated school boards and cut the number of boards in about half and produced very large boards: urban boards with very large numbers of students, and in my area, district school board number 2 in the Algoma district, the largest school board in Ontario now — completely unworkable. There's going to be complete chaos in the education system in January, and it's going to be impossible for the needs of the students across such a wide area to be served.

Bill 104 means there's almost no local control over education any more — the school boards will not be able to set curriculum, will not be able to determine taxation levels — and Bill 160 completes that process. There's not going to be any local accountability over the education of our students. Things are going to be centralized at Queen's Park.

Again, I'm trying to think of how a Tory might feel about this. I know that Tories generally have been known to be in favour of getting most of the decision-making as close to the people as possible, making local decisions locally, wanting to have local accountability so that the local taxpayers and voters can ensure accountability. Bill 104, of course, goes in the complete opposite direction and Bill 160 finishes the job. It centralizes things at Queen's Park.

Most Tories, considering their philosophy, will feel very guilty about this. They won't feel happy that they've gone against their own philosophy. They're emulating eastern Europe rather than democratic approaches, because they want a command system. They want a system that can be controlled centrally, where their orders will be sent out to the hinterland, and the people living in the small communities across Ontario will have to take their orders from Queen's Park. They feel guilty, they feel bad about this. They say: "As a Conservative, how do I make myself feel better about what my government is doing? I'm being forced to support it against my own philosophy." They came up with an idea: "We'll give

away money to people and say we're compensating them for the terrible things we're doing. That way we'll feel better." They'll bring in Bill 161, which says, "Here's some money." Of course they've got the problem that there's no accountability in this: People don't have to provide receipts and don't have to show that they actually needed the money. They're just compensating them for their inconvenience.

What happened next? Bill 104 didn't finish off the job. The government, the Tories, haven't completely centralized everything yet, so what do they have to do? They still had a situation where school boards could in fact, if they wanted, go against the wishes of the government and perhaps even raise some taxes locally. They didn't want that to happen. That would be allowing elected officials at the local level to make decisions about taxes, and they don't want that. So as part of the Who Does What process the government initially announced they were going to take over all the costs of education, and through that negotiation process with the municipalities, they agreed to take over 50% and they would set the taxation levels here at Queen's Park.

Now we have a situation where we have before the House a major piece of legislation which will allow the provincial government to set property taxes. This is unprecedented in Ontario history. Going back to the 1830s, the provincial government has never been involved in property taxes. The provincial government has never set property tax rates, never confiscated property tax money for provincial purposes. This has always been local, for municipalities and school boards.

The other reason the government wants to centralize control over education at Queen's Park is because the \$1 billion it has already taken out is not enough. The Tories made another commitment when they ran in the 1995 election: They said they were going to give a tax break, a 30% tax break to the public. They feel guilty about this, because deep down they know that 66% of this tax break is going to go to the top 10% of income earners in the province, people who don't need it. The Conservatives know that: "They don't need this money, and we're giving it to them. Is there some way we can make the other people, the rest of the public, feel better because we're giving away all this tax money, this tax gift, to the wealthy? There's one way of doing it: We'll give \$400 to everybody at Christmastime in 1997. They can collect it in January 1998 and pay off their Christmas bills, and everybody will feel better. They'll think we're nice guys, the Conservatives; we gave \$400 to all these people. Some of them needed it, some of them didn't. They didn't have to have receipts to show they needed it. Okay, so we'll just give it out. It will make them feel better, because they've got the \$400, and it will make us Conservatives feel good because we were able to give out some largess."

Mr Wayne Wettlaufer (Kitchener): Everybody is watching Wheel of Fortune now, are they?

Mr Wildman: In many ways, Bill 161 is like Wheel of Fortune. Everybody here has just spun the wheel, and they're getting \$400 gratis, no receipts required. You just

get it as long as you have a 13-year-old or younger child or you have a child with special needs above the age of 13. You don't have to have actually spent the money on child care. There's no requirement at all. All you have to do is say: "I feel inconvenienced by this disruption of classes, and I want the money. Besides, I've got a lot of bills for Christmas I have to pay off." So it is like Wheel of Fortune.

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Under Bill 160, the reason the government wants to centralize control, of course, is that they want to take another \$1 billion out. The billion they've already taken out of education wasn't enough, because they want to pay for the tax break. The government can't trust the school boards to do this bidding, to take this money out. There's a major problem, as I think I indicated a little earlier, because 70% of the school boards' budgets are salaries. If you're going to take this much money out, the only way you can do it is by cutting staff.

The teachers' federations have said this will be 10,000 fewer jobs in Ontario for teachers. I suspect that is a little high. The former Minister of Education and Training said it was 4,200 jobs. The current Minister of Education and Training said it was 7,500 jobs. I think it's probably in that neighbourhood somewhere. We're going to have maybe 6,000 to 8,000 fewer jobs as a result of the concentration of power here at Queen's Park and the cuts that the government is making.

But the government, keep in mind, because of its Orwellian Newspeak that it uses in naming bills, is trying to convince the public that this is about improving quality education. They want to take \$1 billion out. They want to cut somewhere between 5,000 and 8,000 teachers' jobs. They say they want smaller classes — no, they don't say that, sorry. They say they want to cap average class sizes. But anybody with a shred of knowledge of mathematics knows that if you take \$1 billion out and you cut the number of teachers, you can't lower the class sizes. It's impossible. It doesn't work. The math doesn't work.

Deep down, the government knows that they aren't being frank, they aren't being honest with the public, and so they feel guilty again. They still feel guilty. This is really all about guilt.

Mr Steve Gilchrist (Scarborough East): Mr Speaker, on a point of order: Is it okay to generalize and make dishonest comments?

The Speaker (Hon Chris Stockwell): That is hardly a point of order, generalizing. Member for Algoma.

Mr Wildman: That's evidence of the guilt they feel. They're trying to assuage their guilty consciences. That's what this is about. This is about conscience money: "We'll give out some money, make everybody feel that we're nice people, that we really do care about their needs and their concerns, and therefore it will be okay. We'll feel better, and those people who get the \$400 will feel good too."

The Premier, of course, set the whole agenda during the disruption of classes. The Premier is the one who said, and his staff behind the scenes: "We will not back down. We

will not make any changes to Bill 160, no significant changes. Sure, we'll make technical amendments, but no major changes. The basic tenets of Bill 160 will remain. The government will have central control over curriculum and taxes and grants. The government will have control over the number of teachers. The government will have control over the number of minutes a teacher has with students each week. The government thus will control prep time for teachers. The government will set the whole agenda centrally at Queen's Park. We aren't going to change any of that."

And in a fit of pique, because so many principals and vice-principals were out of their schools during the disruption of classes, the Premier ordered the new Minister of Education and Training to bring in another amendment removing principals and vice-principals — principal-teachers and vice-principal-teachers — from the federations. This was actually quite punitive, quite vindictive, and the minister didn't like it very much, but he was under orders from the Premier's office to do it, so he had to do it.

This has caused a tremendous amount of disruption and will cause such disruption. The principals and vice-principals now, according to this bill that's before the House, Bill 160, have between January and April to determine whether they want to remain principals and vice-principals or if they want to go back into teaching full-time. If many of them go back into teaching, the schools are going to be left without experienced direction.

For those vice-principals who already teach part-time and decide they want to remain vice-principals, the minister has no answers at all; he doesn't know how this is going to work. How could a vice-principal be a member of the federation in order to teach half-time but not a member of the federation in order to be a vice-principal half-time? The current Minister of Education and Training doesn't have any answers for that. He doesn't know, so of course he feels very guilty about this and he doesn't understand how he's going to make himself feel better and all of the people who are upset about what has happened to the principals and vice-principals feel better.

Most people in this province have a basic sense of fairness, and they know that this amendment on principals and vice-principals is essentially unfair. It's punitive; it's vindictive. So they feel angry, and that anger causes the Conservatives to feel guilty, so again they're looking for a way to assuage that feeling of guilt, to make themselves feel better. The Premier won't allow them to move the amendment out, to forget about it and say, "Okay, we're not going to proceed with this amendment about principals and vice-principals." The Premier is rock-solidly opposed to them. He wants to get them. They can't do anything in that way, so again the Minister of Labour comes forward with a bill that says, "We'll give out money to the people who feel angry at us and make them feel better, and maybe that will help us all feel better."

Of course, the government has a particularly difficult problem with a number of people who are concerned about Bill 160 over the educational issues but are even more angry about the government's attitude towards democracy.

When you look at Bill 104 and Bill 160, this government is taking away local control of education. It's centralizing control of education at Queen's Park.

It means that someone who lives in Hornepayne, in the north end of Algoma district, two days' journey from Toronto, is going to have to have decisions about schools and students' education made at Queen's Park rather than locally. The people in Hornepayne know that going into this disruption of classes, yes, according to the polls, about 52% of the population were apparently on the side of the government. They know that the latest polls indicate, coming out of this disruption of classes, that about 60% of the population is opposed to the government and opposed to Bill 160, because they've been educated by the teachers. We know that parents across the province and other people interested in good-quality public education have rejected Bill 160, or at least major parts of it, and want the government to back off.

This means that this government which was elected in 1995 knows that the majority of the population opposes the government, opposes Bill 160, is in favour of protecting quality education, and yet this government is determined to move forward. So is it surprising they feel guilty? Of course not. Most of them — I would hope all of them — believe in democracy, and they know they are denying democracy by proceeding with this bill, so of course they feel guilty. They feel upset. They feel: "I'm being forced into this by the Premier. I've got to support the Premier." Sure, the Premier says it's a free vote on Bill 160, but that remains to be seen. I would really be surprised to see very many members on the government side exercise their responsibility to represent the concerns of their constituents by voting against Bill 160. They're being forced to support the government, no matter what the Premier said.

It appears that many of the people behind this whole process, the people behind this Bill 160 agenda, have a basic disrespect for democracy and the democratic process.

Mr Tom Froese (St Catharines-Brock): Who does?
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Mr Wildman: The people behind this Bill 160 agenda.

In a democracy, obviously you have to make decisions. Governments have to make decisions. Sometimes they're very difficult. But they also have to take into account the views of the public, and the majority view of the public is opposed to this legislation.

We made some suggestions as to how the government might move forward which would help to alleviate this problem. We suggested splitting the legislation into three. The government could proceed now on those parts of Bill 160 that have to be implemented in order to finalize the setting up of the new school boards, the new administrative structures, by January. They could do that now. Then the government could move on the financial changes later, and on the other changes related to collective bargaining at another time. This would give us far more time to consult widely in the province, to negotiate with the teachers' unions and to have a real democratic process.

But the government said no to that. The government members on the standing committee on administration of justice voted unanimously against such a reasonable proposal that was put forward by myself in the legislative committee. I'm surprised they voted against that because it gave their government an out, but I'm not surprised they feel guilty about having rejected that reasonable proposal. Now they want to assuage that guilt by handing out money with no receipts required.

If the government really believed in democracy, it would take the opportunity to accept the proposal made by my leader at the behest of a number of parent groups in this province and call a referendum on Bill 160; not proceed, but wait until the public has spoken.

I remember serving on the Legislative Assembly committee with my friend from Brampton South, the new Minister of Transportation. At that time he was the parliamentary assistant to the Premier. The member for Brampton South brought before the legislative committee a white paper prepared by the Premier himself which dealt with referenda. In that white paper, the Premier said that Conservatives support the idea of referenda on significant matters of public importance, that the Conservatives believe that if one tenth of the electorate petition for a referendum, the government should have to call it, and that the government should live by the results of the referendum and implement it.

The Legislative Assembly committee considered that proposal and made recommendations to the House. It's true the House hasn't acted on it, there hasn't been legislation introduced, but it seems to me that if the parliamentary assistant who advocated that before the committee on behalf of the Premier has now been appointed to cabinet, the government still believes that, and if the government still believes that, why not move on this?

But of course the Minister of Education and Training says, "No, no, a referendum is a stall." This is the first time I've heard a Conservative argue that a referendum is a stall. That certainly wasn't what the member for Brampton South said when he advocated referenda on behalf of the Premier, but the Minister of Education and Training says this is a stall. That's because the Premier has decided he wants this to go through no matter what, no matter how many people are opposed to it. Despite the fact that the majority of the people of Ontario are opposed to Bill 160, this government is going to go ahead and pass it anyway.

It's not surprising they feel guilty. It must gnaw at the conscience. I suspect many, many Conservative members are having a hard time sleeping at night, not just because their phones are ringing off the hook, not just because all of the people are calling them up and saying, "Look, we don't like what you're doing to education," but just because their conscience is bothering them. I've never seen so many unhappy looking people as I've seen in the last few weeks since we came back from the break. Some of the members over there look as if they've been hit by a truck. It's not because somebody has physically assaulted

them; it's because they themselves have assaulted their own consciences. This government knows that it's in the wrong, yet it is proceeding. The members of the governing party know they should be backing off and listening to the public, yet they are proceeding, and so they feel guilty. They feel unhappy.

How do they resolve it? They want to make themselves feel good. We're getting close to the holiday season. It's a time for giving. So what do we do? We come up with a bill that gives away money without any requirements at all. It must give them a bit of a Christmasy feeling. Anybody can get \$400 whether they incurred any expenses or not, as long as they have kids under the age of 13. All they have to be able to say is that they felt inconvenienced.

It might work. It might make everybody feel good and give them a warm feeling as they sign their Christmas cards. I suppose they'll sign their Christmas cards, if the postal strike ends, by saying: "Merry Christmas, and I hope you got the \$400. Any questions, contact my constituency office." Signed, "Conservative MPP for" whatever.

I don't think it's going to work. I think many parents will collect the \$400. They'll say, "Thank you very much," and it will help to pay off their bills for Christmas, but it's not going to change their view of Bill 160. It's not going to make them feel happier about this government, and I don't think it's going to make the members of the Conservative Party feel good, because many of them, even perhaps a majority of them, actually believe in fiscal accountability. They're going to say: "What on earth are we doing giving away this money to people who don't even have to submit receipts? How can we justify that?" And you say, "Well, you justify it by saying that they were inconvenienced."

But some poor, innocent member is going to come along and say, "Surely they need to be able to show they had to spend money for child care during the disruption of classes." Then if anybody dares to raise that at caucus, there's going to be a chorus, just after they finish "We Wish You a Merry Christmas," saying: "No, no. No receipts required. Just apply and get your 400 bucks courtesy of the local school board, which got it from the taxpayers."

There are going to be some taxpayers who are parents who don't have kids under the age of 13 or there are going to be some taxpayers who are not parents, and they're going to say: "Wait a minute. How come these people get the 400 bucks without having to show they actually spent money and incurred expenses, and we don't?" They're going to feel angry. They're going to say — I wouldn't encourage this — "This is a parent payoff."

I'm saying, "No, no, it's not that at all." We all know that parents with kids under the age of 13 incur more expenses at Christmastime than people who don't have children under the age of 13, so they need the money more than those other people. Surely it's acceptable that we give them a Christmas bonus. I just suggest that the members of the Conservative Party, when they're signing their Christmas cards, make sure that the ones where they

mention the 400 bucks actually go to people who have kids under the age of 13, because if they get them to the wrong people, they may run into more problems.

This is the first time I've ever seen this kind of a giveaway in the time I've been in the Legislature. I must say that it's a novel approach. A Christmas bonus is probably a good idea; it's a nice thing to do. To suggest it for everybody in the province, some might suggest, is a little extravagant, but it isn't for everybody. You have to have children under the age of 13; you have to be inconvenienced. But you don't have to have actually spent any extra money during the disruption of classes. You don't actually have to have had any extra costs.

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Where did fiscal accountability go? How can any Conservative who calls himself or herself a fiscal conservative support this kind of suggestion, unless it's just out of the Christmas spirit? I suppose Christmas spirit is a wonderful thing. This'll help to make everyone feel better, but it's not going to change the way they think about Bill 160. Most people will say: "Thanks for the money. I'll pay off as many bills as I can in January when I get it from the school board. But you better ensure quality education for my kids. Giving me \$400 doesn't do that."

This government is not going to be able to assuage its guilt. It is destroying public education in the province. It's been quite systematic about it in the last two years. I know why it feels guilty, but the members are going to continue to feel guilty. This issue is not going to go away. Giving \$400 to parents who will mostly accept it will not change the basic situation and the opposition to Bill 160.

The Speaker: Questions or comments?

Mr Dan Newman (Scarborough Centre): In response to what the member for Algoma had to say, I know he started off with Bill 161 and spoke about Bill 160. I think Bill 160 is today a far better bill as a result of the public hearing process. We heard during the public hearings that class size and prep time and outside professionals shouldn't be determined by regulation. The fact of the matter is that as a result of the public hearings, that is now put into the body of the legislation. That proves the public hearings process has worked.

Also, people had concerns about the removal of duly elected trustees. What Bill 160 does is actually limit the powers that currently exist from the Municipal Affairs Act of 1935 and put those powers to the Minister of Education. But except in the case of Bill 160 he cannot remove a duly elected trustee. We have listened on Bill 160 and we're listening today on Bill 161. The amendments show it. It's a far better bill, as I said.

The member spoke about the use of referendums. I wonder why his government didn't come to the people of Ontario when they hiked taxes 32 times in this province and drove jobs away. When they talk about referendums, they ignored the people in the city of Toronto in 1994 when those people voted in 1994 to do away with the Metro level of government.

What I found most interesting about the member's comments tonight was that he spoke about the fact that

Bill 161 is about Wheel of Fortune. When his government was in power, it was the wheel of misfortune, or perhaps a better game show for their government would've been Jeopardy.

Mr Alex Cullen (Ottawa West): I want to commend the member for Algoma for showing very clearly the linkages between this bill, Bill 161, the teachers' strike compensation bill, and of course Bill 160 which prompts this bill, Bill 160 dealing with all the changes the government has to extract \$667 million out of our education system.

The member for Scarborough Centre talked about how much the bill had been improved because they had four days of hearings where they heard from, I believe it was, about 80 presenters. Think how much the bill would have been improved if they were able to hear all 1,200 or so who wanted to come and speak to this very extreme change to how education was going to be delivered in our community.

One of the issues that clearly impacts on, as a result of this bill, is the compensation that's going to be given to parents because of the teachers' protest. That will come from the reserve that's going to be established by law through the funds that weren't expended on teachers' salaries. They go into a reserve. By law, that reserve is there. Traditionally when school boards have these reserves going into their next budget year, they are able to use these reserves, sometimes to renovate schools.

I know in the Ottawa Board of Education we have inner city schools. One school a year has to be renovated. They're below the building code. Children are studying in substandard conditions. Take, for example, my friend from Nepean who has a growth community there, who has been lobbying for some time to deal with the portables that are in his community. Unfortunately what happened with Bill 160 is that these moneys go out to pay for our child care subsidies for these parents. When the moneys are not fully expended, as has been pointed out, they will revert to the government. The government will be able to shave back its grant to school boards because these reserves are there. I say that's absolutely wrong.

Mr Kormos: I feel so much concern that I have to register some disagreement with my colleague from Algoma. My colleague from Algoma speaks of this as money in response to a sensation of guilt or a feeling of guilt. I understand why he and a whole lot of other people would reach that conclusion. But just as with the sociopathic personality that cannot feel guilt but can only manipulate and deceive one's way to achieve one's ambition, I suspect this government is incapable of guilt. It's demonstrated it's incapable of any shame. It's demonstrated it's incapable of any empathy. It's demonstrated it's incapable of any compassion. Well, compassion, yes, for their very richest of friends.

The member for Algoma talked about the tax break being funded by your kids' education. Your tax break is being funded by this billion bucks plus that will have been pulled out of education by the end of 1998. There's obviously a strong affinity with the 10% of the wealthiest

people in this province who are going to appreciate two-thirds of that tax break, which is, to the largest extent, what Bill 160 is all about. But guilt, no.

There's no guilt here; there's no shame; there's no sympathy; there's no empathy; there's no pity. There's just a hard and cold and driven ambition to make the sick in our society, to make the elderly in our society, to make the poorest, to make the kids, to make their single mothers, pay for this government's commitment to a tax break for its richest of friends. This government has sold out the communities of this province so as to fulfil that promise to their rich Bay Street buddies.

Mr Gilchrist: It's a pleasure to respond to the member for Algoma. It's always a little trying to sit through one of his speeches over here, although I'll give him credit this time that he stayed more or less on topic, which I believe is a first in the last two years. It was somewhat circuitous at points. He touched on Bill 160 and other bills that aren't before us here today. But once again the general tone and tenor was to suggest to everyone watching at home that there's nothing but doom and gloom outstanding in this province, that there's nothing redeeming about the pieces of legislation going through this House, that somehow the 82 government members who are charged with the responsibility of picking up the pieces, of reforming the system you left in such disarray at the end of your five-year mandate — we are charged with that responsibility and we take it seriously. You have a problem with that.

We bring forward pieces of legislation such as the one before us here today which is purely and simply in response to the needs of the people of this province who were faced with extra day care costs as a result of the illegal strike taken by the teachers in this province, forced by their unions, without any kind of democratic vote. This is a responsible reaction to an unfortunate situation.

You continue to perpetuate the myth. Our government passed only 10 bills last year and gave 720 hours of hearings. We aren't ramming things through; you rammed them through. We're listening to people more than you. Your best year was 689 hours of hearings. We listened for 720 hours. This bill is no different. It is typical of the fact that we are responding to the genuine needs and concerns of the people in this province, not pandering to special interest groups, not appeasing our union boss friends, as you did. The fact is that this bill is necessary, an unfortunate response to an unfortunate situation with the teachers.

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Mr Froese: And the Speaker agrees.

The Speaker: Do not put any words into the Speaker's mouth.

Mr Wildman: I want to thank the member for Scarborough East and the members for Welland-Thorold, Ottawa West and Scarborough Centre for their comments. I just want to say, in response to the member for Scarborough East, that I am optimistic. I'm optimistic as a result of the fact that the public has become informed and has rejected Bill 160. It's an indication that an educational effort on the part of the teachers and others about the effects of Bill 160 has been successful and we have an

informed public. That makes me very optimistic about our educational system.

To suggest that this is a responsible response to the needs of parents ignores the fact that the government is not going to require receipts for child care expenses. This is just a giveaway. It is, as I said, a Christmas bonus. It has nothing to do with costs incurred.

The member for Welland-Thorold takes a harder line than I do, which is not unusual. He basically says this government is incapable of guilt, that it demonstrates a sociopathic personality, that it's only manipulative and is prepared without any remorse to fund a tax break to the rich on the backs of students. I think I'm persuaded, actually.

The member for Ottawa West indicates that the committee couldn't hear all the presenters and that this is expropriating schools boards' reserves, and it's quite true.

The member for Scarborough Centre argues that the bill has been improved but he doesn't explain why the government doesn't want to have a referendum on this. He argues that we should have had a referendum. We didn't advocate referenda. This government is the one that came across with that proposal. He also suggested that our government was the wheel of misfortune and it jeopardized things. Frankly, this bill, Bill 160, is a misfortune for the province —

The Speaker: Further debate.

Mr Maves: I'm pleased this evening to stand in support of Bill 161, the Fairness for Parents and Employees Act. I'd say that during the two weeks of the province-wide teachers' strike, the parents of this province and their children were forced to take unexpected measures to deal with inconvenience and disruption. Additional burdens were placed on working families' shoulders because many teachers chose not to go to work. Children were denied access to their schools, to the education they're fully entitled to, the education paid for by their hardworking parents and the taxpayers of Ontario. Many parents had to stay home with their children or find other means of caring for them during school hours. Employers were required to work around the child care needs and responsibilities of their employees.

If you will remember, at the beginning of the two-week, province-wide strike by the teachers the government made a promise to the parents of Ontario that we would provide some relief to them for the disruption of family life and the disruption of the education of children caused by the strike. How would we do this? We said we'd introduce a bill that would make payments of up to a maximum of \$40 per day per family to the parents of school-age children to help alleviate the impact of the strike, by protecting employees who had to care for the children during the strike and by protecting teachers who refused to participate in the strike from union reprisals.

Bill 161 fulfils these promises. It is a demonstration to the people of Ontario of the commitment of this government to working families, to employees and to children. This is important legislation that, if passed by the House, will provide fairness to the working families of Ontario

that were adversely affected by the province-wide strike, provide some financial relief for the hardship experienced by parents and guardians during the strike, prohibit the dismissal or discipline of parents and guardians who missed work to care for their children during the teachers' strike, and protect those teachers who chose to stay in the classroom from reprisals by their unions.

The member from Algoma, when speaking about this bill, made a couple of comments that I think need to be addressed. One of the comments he made quite frequently, actually, was, "Why are no receipts required?" I'll tell you, from our point of view the government trusts the parents and the guardians of children in Ontario. His party may not trust the parents of the children of Ontario — I don't know — but we do. We determined that we were going to exercise and show that trust by not allowing receipts. There are some reasons why we don't think receipts are going to be possible and why it would be unfair if we only compensated those people with receipts. For instance, unlike the members opposite, we're not interested in establishing a huge bureaucracy to administer and therefore waste more taxpayers' dollars poring over reams of receipts — what's legitimate, what's illegitimate, what counts, what doesn't count. We don't want to set up that bureaucracy, and by making it an entitlement we can avoid that.

Also, it's very important to note that there are situations where self-employed people had to forgo work or working hours. People on commission had to forgo work and therefore potential income in order to care for the kids. These people won't have receipts. Some people may have driven their kids many miles to drop them off with grandparents or someone else to help with child care. Those people wouldn't have receipts. Because of these examples and others like them, we chose to trust parents who say they've incurred expense and apply for the \$40. We asked the boards who have this money from retained teacher payments to pay those people for their expenses. That's a key part.

Another part is that Mr Wildman, the member for Algoma, suggested that there are no controls on payments. This is completely false. If he looks at page 3 of the bill, I think it's subsection 3(9), it says, "A person who knowingly submits false information on an application for payment is guilty of an offence." So just in case there are some unscrupulous folks out there who will try to take advantage of this \$40-per-day payment, we say in the bill that it is an offence to knowingly misapply.

Another thing the member for Algoma stated, again which is incorrect, is that teachers would not be entitled to payment. In fact, those teachers who were at work upholding their responsibilities to students, parents and taxpayers during the illegal strike would be able to make a claim.

Those are just a few of the things that were directly related to 161 that I want to make sure are clarified for folks.

There were a couple of other things the member for Algoma stated that I have to take exception with in his

wide-ranging speech. He talked about special-needs funding in this province and that special-needs students had less over the last few years. The reality is that the special-needs funding in the education envelope has increased every year since this government has been in office, and I think that's important for the people of Ontario to know.

Another thing that I think needs some clarification is that the member opposite talked about, "There are teachers in this province who have been paying for supplies out of their own pockets." I'll tell the member opposite that when he was in government several years ago my wife was a teacher in this province and my wife then took money out of her pocket to pay for stickers, supplies and paints and many other things.

The problem we're looking at is that the money that's been in education — there has been more and more money put in every year. If you look back, say, to 1985 to 1993, grants from the province actually increased to boards pretty much every single year. Despite the fact that the money going from the province to the boards was increased in those years, school boards still increased taxes, so there was a lot of money going into the system back then. What did it go for? The problem is that it didn't go into the classroom for paints and books and supplies. It went into board administration, it went into buildings. Drive through Niagara, drive through St Catharines and you'll see some beautiful buildings just off the Queen Elizabeth Way. Despite that, they still had a lack of supplies and the boards built themselves some nice buildings, but kids were still in portables.

Right now, as our finance minister said several days ago, we spend more than we did in 1995 on education. A lot of that money doesn't go to school boards for spending in the classroom. A lot of that money now is in the teacher pension plan; it's part of the whole compensation package. But it's a large amount of money, a lot larger than in 1995, that goes to teachers' pensions. That's part of the whole education envelope and it must be realized that that's where a lot of the money is going.

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Those problems were under the previous government, they're still under this government, and hopefully by better targeting dollars, by reducing the amount of money spent on board buildings and on administration, we can better target it for the classroom.

I must mention that the member opposite talked about the member for Nepean and that he was in a high-growth area, and he certainly is in a high-growth area. The member for Nepean should be commended as often as we can in this House because on behalf of his constituents, when this government invested \$600 million in the capital program for new schools to get kids in this province out of portables, the member for Nepean was very successful in getting two new schools, both a public and a separate secondary school, funded for his riding. The member opposite mentioned the member for Nepean, and I think he's right to do that because the member for Nepean deserves to be commended for getting a piece of that \$600-

million investment that this government made in capital spending in Ontario.

Throughout this whole process we've had a lot of myths come about. In fact, as has been mentioned in this House several times, the Ontario Catholic School Trustees' Association was concerned enough about the number of myths and misinformation out there that it put out a press release and a small paper on a lot of these myths that are out there right now. I think that's significant. Some kids are leaving school and they have a lack of information, a lack of appropriate information about what's in the bill. Some of these made the trustees' association nervous enough that they said, "Hey, we've got to set the record straight on some of these things," and they put out a paper about that. I think that's extremely significant.

If I could address a couple of these myths, one is that Bill 160, the government's proposed legislation, would cut education funding. The two aren't related, and actually the Liberal government today finally admitted that in this House. When they put forward a resolution about Bill 160, they admitted that Bill 160 is separate from the funding of education. The current Education Act does not dictate levels of funding. For decades, governments haven't been able to set, increase or reduce funding by regulation. Just as the current Education Act, the government's legislative proposals do not set funding levels.

I think it's important that we get rid of that myth, that Bill 160 does not set funding levels. They are two separate things. As I say, the Liberal Party today in the House admitted that indeed they are two separate things, and I think that was an important step towards the clarification of some of these issues.

A very important myth that needs to be put to rest is that the government hasn't consulted about the proposed changes to education. We have said several times and we continue to say that there have been 24 separate reviews of education finance and governance since 1950, including two royal commissions, 10 commissions and committees, two fact-finding reports, two panels and many, many meetings.

The Ontario School Board Reduction Task Force received public input in 1995 and issued a report in 1996 making recommendations on how to reduce the number of school boards and trustees. The Paroian report reviewed the effectiveness and efficiency of the process prescribed by the School Boards and Teachers Collective Negotiations Act in addressing the interests of students, parents and ratepayers. In his report to the Minister of Education on October 31, 1996, Mr Paroian made recommendations on the effective and efficient conduct of collective bargaining for teachers and school boards in the current economic climate. One of his recommendations was that indeed principals and vice-principals should not be in the bargaining unit.

When this government came to office, school boards for many years had asked governments to help legislate a reduction in secondary school prep time. They also asked for flexible staffing. This is a constant request. Everyone can recall the toolkit that we talked about for many

months and in that toolkit we didn't legislate these things. Instead we put together the Education Improvement Commission, headed by former NDP education minister Dave Cooke. Mr Cooke went out and studied these issues and he came back and said indeed the government was in the right direction.

To say that the government hasn't consulted is incorrect. As I said, since 1950 there have been 24 studies that have said, "Take education off the property tax." We're finally doing that 47 years after the first report. Mr Paroian has looked at the collective bargaining system that's out there right now under Bill 100 and the Education Improvement Commission has looked at issues like class size, secondary school prep time. All of that consultation has come before the government acted, and I think it's important to lay that myth to rest.

One of the myths that, in my view, has motivated a lot of people —

Mr Wayne Lessard (Windsor-Riverside): On a point of order, Speaker: I don't believe we have a quorum.

The Acting Speaker (Mr Bert Johnson): Would the table check and see if there's a quorum.

Clerk at the Table: A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

The Acting Speaker: The Chair recognizes the member for Niagara Falls.

Mr Maves: Another myth that continues to come forward in a lot of different publications that alarms quite a few people, and a lot of people who say they're concerned about the bill put forward this myth as what concerns them, is something that actually the member for St Catharines brought up earlier in his speech. He referred to a letter from some clergy in the Niagara area. While they didn't want to talk too much about the details of the bill, they said they were concerned about section 257. This is something that a lot of people have been concerned about. It has been purported by opponents of Bill 160 that's there a new power that the government has to take over boards and to fire school board employees for not listening to directives and so on and so forth.

It's important to note, and I'll try to clear this up a little bit tonight, that there is a power right now existing and that has been there since 1935 for the provincial government. Sections 19, 47 and 48 of the Municipal Affairs Act already allow the government to step in and manage a school board in extreme financial difficulty. This or a similar provision has been in the statute books since at least April 15, 1935, as I said before. The government merely proposes to move these provisions to the Education Act where they properly belong.

You should note also that under the Municipal Act when a school board reports its financial statement to the minister, if there's a deficit or if there's evidence of financial mismanagement, the minister can take over the board. Once the ministry then operates the board, the board employees need to listen to the people who are now their bosses who now have authority for running the board. If

they don't, yes, there can be some disciplinary action taken. If they misappropriate funds, if they don't have permission to spend funds from the authority that is operating the board at that point, yes, there can be some punishment. But everyone leaves the point out that before any of that can happen there has to be evidence of severe financial mismanagement before the ministry can take over that board.

In fact it's my understanding that in 160 this government actually added an extra step. Right now, just upon the submission of financial statements, if there's evidence of financial mismanagement, the ministry can step in and take over the board. We added an extra step where the minister then must, after the initial financial statement, send in a new auditor to do another audit of the books, and only if that auditor recommends that the ministry take over the board because it's suffering from severe financial mismanagement can they do so. That has been something, obviously, as Mr Bradley told us earlier, that is what the clergy in Niagara were concerned about. If you don't have the full story about that section 257, the supervision of boards, you would be concerned.

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That now is coming to light; the misleading information that some have put out about it is now coming to light. A lot of people are starting to say, "Why, if they're so correct in their position of opposition against the bill, would they need to conveniently leave things out?" So a lot of people are now starting to be a little concerned and to look a little closer at things in the bill.

These provisions, as I've said, are not new. When I talked earlier about the separate school trustees' association, the paper they've put out, one of the things that Pat Daly, president of the Ontario Catholic School Trustees' Association, said was: "I am very concerned when I hear some people in education in the province attribute machiavellian motives to parts of Bill 160 which in fact have either been in the Education Act or the Municipal Affairs Act for years." I think that concern led Mr Daly and the trustees' association to put out this paper to clear up a lot of these myths — for instance, this myth surrounding section 257.

There are a lot of other myths out there surrounding this bill. It would take us forever to get through them all. There was a myth about the government wanting to reduce parents' input and involvement in the education system. We actually are enshrining school councils in the bill and are probably going to ask the parents to do even more and to have more input into education. We think that's vital.

There are just so many myths, for instance, "The government doesn't want students to have any input into the education system." Actually, this government in Bill 160, for the first time, has said that students will have a seat on school boards. That's also something that's vital to note.

As we go forward, as the bill comes up after it's been printed and as we have third reading, we vote on the bill and we move forward with education in this province, it's going to take a lot of time because there have been so many myths created, but I think reasonable people will

begin to listen, read the bill, ask the appropriate questions — not take little sections of the bill alone — and I think the whole province will have a much better understanding.

I hope, as I said earlier when the member for St Catharines spoke about Bill 161 and 160 — he never did say where he stood on a lot of these issues that Bill 160 has. He didn't say where he stood on Bill 161. He didn't say whether he thought the \$40 payment to the parents who incurred costs was a good thing or not. He didn't say if protecting teachers who went to work from reprisals was a good thing or not. I hope that over the next few days the members opposite will start to talk about their positions on Bill 161 and Bill 160, and the many things it does for education.

The Acting Speaker: Comments or questions?

Mrs Lyn McLeod (Fort William): I find it interesting that the member for Niagara Falls, rather than really discussing Bill 161, made a concerted effort to dispel what he considered to be the myths about Bill 160, and in fact simply confused anyone who might be listening even more.

I am confused, for example, when I hear the member for Niagara Falls say, "The government is spending more on special education now than ever before." I just sat through estimates committee with the Minister of Education and Training. In fact, I've got the estimates book in front of me today. You cannot find any lines in there that will tell you that your government is spending more money on special education. Your ministers of Education keep saying, "Any decisions to cut special education are decisions of the school boards, because the government doesn't fund the special education directly," so how can you be spending more money on special education than has ever been spent before?

The reality is that this government's cuts to school boards have forced school boards to cut special education classes, and every parent of a special-needs child knows that full well.

The member for Niagara Falls has said, "We can find the cuts by simply cutting administrative waste," that old, "Push the magic button and we can solve any problem by cutting the waste in the system," the same as the Premier says, the same as the Minister of Education says. You might want to catch up with recent figures, because administrative costs across the province are less than 5% of the total budget. Do the mathematics. You could cut all the administration out of all of the school boards and still not find \$657 million, the amount you plan to cut from education.

The member for Niagara Falls says, "There's a myth about the fact that there hasn't been consultation on Bill 160 or Bill 161." There hasn't been. They came right out of the blue. It's not consultation to talk about a study that was done in 1950. Maybe that's what you consider consultation. It's not consultation to talk to Leon Paroian, the friend of the ex-minister, who totally and deliberately distorted the realities of the system, or to act on the recommendations of the EIC over the wishes of every parent council in this province.

Mr Wildman: I am very surprised at the member for Niagara Falls in that oftentimes in opposition when we make a speech we're accused by members of the government of not talking specifically about the bill —

Mr Tony Silipo (Dovercourt): He said that earlier, in fact.

Mr Wildman: The member himself said that. And yet he himself gives a speech which is not on the matter at hand as far as he's concerned. He talked about Bill 160 when in fact we're dealing with Bill 161. I don't like to hoist the member on his own petard, but I feel that I really should.

The other thing I was concerned about in listening to his comments about myths was that the member argued that somehow this government has consulted about this legislation. In fact, 1,200 people indicated they wanted to make presentations, but this government moved a time allocation motion which prohibited that. It made it difficult for us to do the job. It limited the amount of debate and it limited the number of hearings on Bill 160.

So there hasn't been adequate consultation on this massive change in education. We don't know what all of the impacts are. We know what the professionals are telling us about the effects this will have. To take this kind of money out and to lay off this number of teachers — not to lay off teachers, but to eliminate their positions — can only mean the quality of education is going to deteriorate in this province.

I would think that an individual who cares about young people, as I know the member must, would want to ensure that we are doing everything in Ontario to provide quality education, not simply trying to remove money to fund a tax break on the backs of the students of this province.

Mr Cullen: I feel compelled to come to the rescue of the member for Niagara Falls in his discussion on Bill 161, his constant reference to Bill 160. He's absolutely correct that without Bill 160, we would not have Bill 161.

Having said that, all the other points that have been raised I believe are fair game. When the member for Niagara Falls talks about the amount of public consultation that's gone on in terms of education policy in this province, and while he is absolutely correct, the only thing is that those public consultations, all those commissions and all those reports, dealt with the quality of education, and yet there is nothing in Bill 161 or in Bill 160 that deals with quality of education. That is the fraud that is being perpetrated on the people of Ontario.

The member for Niagara Falls speaks of the position of the Catholic trustees' association in their recent pronouncements on Bill 160. I don't know if he has taken the time to read the brief that they presented on Bill 160. I know that their brief and briefs echoed by other Catholic separate school boards that were denied the opportunity to make a presentation to the standing committee dealing with Bill 160 said the same thing over and over again: that without equity of funding, without being able to provide for the kind of quality of education that they need to provide, this whole exercise is fruitless, is a lost cause. Quite frankly, when we know the government is taking \$667

million out of the education system, it makes a mockery of the government's claim that it's going to bring equity to education across Ontario.

Mr Speaker, it is a beggar-your-neighbour approach, because look what happens when they take all that funding, all those property taxes, from the urban boards, and not a bit of it will go down to those smaller boards.

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Mr Len Wood: He spent 20 minutes talking about Bill 160 and we're supposed to be debating Bill 161 in the Legislature tonight. But at no time did he talk about the \$400 Christmas bonus they want to give to all the parents who have children under 13 years of age.

When he was talking about Bill 160, why does he disagree with what the bishop of the Anglican church is saying in Niagara Falls and St Catharines? He is saying that Bill 160 is going to destroy education, that you cannot take close to \$1 billion out of education last year and another \$1 billion out next year and expect to improve education across this province, and at the same time eliminate all kinds of teachers' positions that are going to be eliminated. The quality of education is going to slip badly in this province. You have Premier Mike Harris going around the European continent, saying: "Ontario is open for business. We have a good training system in Ontario." Yet, when he comes back to Ontario, he takes all his energy, TV advertisements, newspaper advertisements, to bash the parents, bash the kids, bash the teachers and say that the education system is broken. It's broken so badly that he had to take \$1 billion out last year and another \$1 billion out next year.

The teachers, the parents, the kids in northern Ontario are completely frustrated with this government and they're saying they are going to do everything they can to make sure that 700,000 people sign this petition that is circulating around the province to demand that the Conservative government of Ontario have a referendum. They've talked about how they want to have referendums right across the province on tax increases and major changes. Now is the time to have a referendum, because there will be 700,000 signatures on this petition within the next couple of months. It's time for the government to withdraw Bill 160 and get back to doing what is supposed to be done: good quality education in Ontario.

The Acting Speaker: The member for Niagara Falls has two minutes to respond.

Mr Maves: I thank the members opposite for their comments, but I'm sad that they missed some of the opening comments which really were specific to Bill 161, especially with regard to the member for Algoma's comments, for instance, "Why no receipts?" It's because on this side of the House we trust parents to file honestly for those expenses incurred. The members opposite may not; we do, and that was something that was very key in talking about Bill 161.

While one of the members opposite said that one study in 1950 shouldn't tell us what to do, she missed our talking about the other 23 studies subsequent to 1950 that said

the same thing: to take education off the property taxes. It wasn't one study in 1950; it was 24 since 1950.

The member for Algoma believes that the public hearings we had were inadequate on every single bill we've ever had in this Legislature, even though we've had way more public hearings than either of the two parties opposite had when they were in government. I must remind the member opposite that we had two weeks and we heard a lot of people on Bill 160. Bill 160 doesn't affect education finance. It's something separate, as the members from the Liberal Party admitted today. What the member for Algoma forgets to talk about is that with his social contract, which took over \$500 million out of education, how many days of public hearings did they have on that? Not one day did they have in public hearings on that bill. I think the member for Algoma should really rethink some of those comments, especially when we reflect on the record of his government.

Mr Bradley: On a point of order, Mr Speaker: I was just wondering, and you could help me because you were listening carefully to this, whether the member for Niagara Falls was denying the arguments put forward by Bishop Asbil and the Synod of the Diocese of Niagara of the Anglican Church of Canada. Were you able to determine that?

The Acting Speaker: That is not a point order. Further debate?

Mrs McLeod: I thought I'd do something which might seem rather unusual tonight. I thought I might speak to Bill 161, An Act to provide fairness for parents and employees by providing remedies relating to the province-wide withdrawal of services by teachers between October 27 and November 7, 1997 — da, da.

I wanted to begin my remarks on Bill 161 by talking about the time at which the notion behind this bill, the \$40 per day to families, was introduced and the manner in which the government chose to introduce the proposal. As I recall, this idea was introduced at a rather early stage of the teachers' protest. It was introduced at a time when the concerns of parents clearly were to have their children back in school. It was introduced at a time when this government should have been devoting all its time and all its energies and all its efforts to working to resolve the dispute, to getting our students back into school. Instead, this government's concern was to make a public relations statement: "Don't worry about your children being out of school. Your government will be there to help you if you should incur any child care costs or if you are inconvenienced."

I think having children out of school was much more than an inconvenience, but this government thought it could buy support for its tough stand against teachers by offering to help families financially. It didn't work. The government may have been trying to dismiss the teachers' very real concerns about Bill 160 and the Harris government's attack on education as unfounded, and their protest as simply the tactics of the union bosses, but that's not how parents saw it.

It's not how the general public responded, because the public saw something unprecedented in that withdrawal of services referred to in Bill 161. They saw people prepared to defend a principle and a belief, at personal risk and with personal expense, with clearly no personal gain — just the opposite — because of their genuine concern for students and for the future of education, and that proved to be far more persuasive than any of the government taxpayer-paid-for advertising spins or its public relations statement.

What the Harris government did right then and there was to demonstrate that they were not interested in resolving the issues. They didn't want to deal with the concerns. They had an agenda to deliver, they had a tax cut commitment to meet, and they needed the control Bill 160 would give them to make the cuts they needed to pay for the tax cut, so they couldn't back down in the face of concern. They couldn't even delay their bill long enough to sit down and try and resolve the issues. They couldn't even acknowledge that the concerns existed, and they still won't acknowledge that the concerns existed.

Besides, as I recall, at that particular moment in time I think the Conservative caucus had just had an annual meeting, and I think that some of the real Reformers were giving their own government a hard time and said: "You've got to be tough. You can't be seen to be a government that gives in. We did that on Bill 136. It doesn't matter if the legislation is bad. It doesn't matter what teachers or parents or students are concerned about. The bottom line: You'll be hurt politically if you're seen to back down, it's bad PR, so hold the line." This government settled down to hold the line, leaving the concerns unaddressed, the issues unresolved, the students out of school, but they offered families \$40 a day for any inconvenience they might experience.

Remember that they could have prevented this protest before it began. There are parts of Bill 160 that the government needed for the amalgamation of school boards on January 1, and they could have taken those parts of the bill and proceeded with them, but there are parts of this bill which give this government unprecedented new powers to cut costs by cutting teachers. They wanted to take control. They wanted cabinet to have that kind of power so they could find their \$667 million. They were determined to give themselves that power, so they were determined to proceed with Bill 160.

After all, this would mean that they would never have to come back to the Legislature with another bill: "We wouldn't have to have any more messy public hearings, we wouldn't have to waste time in debate and we wouldn't have to face any more opposition. We can just sneak these new powers we need into this bill that was supposed to deal with the transition to the new school boards. We can get it done now, and then we don't ever have to come back again. We can make all the cuts we need in time for the second instalment of the tax cut, due January 1." Remember, no coincidence between the \$667 million needed for the second instalment of the tax cut, due January 1, and the \$667 million in the deputy minis-

ter's performance contract, which she was to find to cut in the next fiscal year. No coincidence at all.

I probably shouldn't get into this since time is running down and I do want to speak to Bill 161. I found it interesting, though, that they were so busy trying to work their control into Bill 160 that they actually didn't deal with a lot of the issues around amalgamation that the bill was supposed to deal with. That's why there's still no role for school trustees in the bill, even though during the course of this withdrawal of services they had to stand for re-election and be re-elected, not even knowing what their new role was to be. No problem there, because the government can do all that by regulation too, as Bill 160 makes clear.

Nevertheless, I come back to the bottom line behind Bill 161: The government could have avoided the protest, they could have divided this bill, they could have proceeded with the parts they needed and withdrawn the parts that would give them unprecedented control to cut costs by cutting teachers. In the committee hearings on Bill 160 there was almost unanimous agreement that not only could that have prevented the withdrawal of services, but at any point at which this government agreed to divide this bill and take out those draconian powers that they needed to cut costs, our students would have been back in class. But that wasn't the government's agenda. The public agenda of the government and the private agenda of this government are always very different things. The public agenda was to manage the transition; the private agenda was to cut \$667 million in time to deliver the tax cut. So our teachers and our parents and, most of all, our students, paid the price of the government's real agenda.

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The \$40 a day per family does not make up for the price that was paid by everyone involved during that two weeks of protest. But even that price that was paid by everyone involved — teachers, parents and students — was small compared to the price that is going to be paid with the continued attacks of this government on publicly funded education. It is the future price to be paid that is the real concern to parents and to teachers, and it is a price that will continue to be paid by students. How tragic it is that this government thinks \$40 a day to a family is going to answer those concerns. And that's been their sole response.

Let me turn to some of the specifics of the bill in the brief time I have left to address it. First, I want to address the punitive, gratuitous, offensive part of the bill which protects against reprisals taken towards teachers who didn't participate in the protest. I say "gratuitous" because teachers have given assurance that there would be no reprisals, and even if this government trusts teachers so little that it doesn't believe that, teachers will soon be under the Labour Relations Board and that will provide protection against any action taken against any individual teacher.

At our committee hearings on Bill 160 one of the members of the government caucus suggested, "There might be negative feelings directed towards dissident teachers." I

suspect, if this government could bring in a bill that would give them control over the feelings of our citizens, they would bring in that kind of bill. Of course there are going to be negative attitudes towards colleagues who didn't participate in the protest. Teachers who went on that withdrawal of services took an enormous personal risk. They made a significant personal sacrifice. They did it because of their commitment to education. Given the strength of their commitment and given the depth of their emotion, do you really think they're going to be sympathetic to people who weren't prepared to share in their defence of what they believe in? You can't legislate against that kind of emotion and that kind of commitment. This clause in this bill is almost as offensive as the clause in another bill that took away the right to strike of fire-fighters who had never exercised that right in 50 years.

I only wish we could legislate against government reprisals against teachers: the reprisal that was taken by this government in the taxpayer-paid attack ad on our teachers because they dared to stand up and protest against this government's actions, and the Minister of Education dares to stand up and say he hopes there can be constructive talks in the future.

What about the reprisals against principals and vice-principals who dared to protest against what this government is doing to education? It is a vicious reprisal and it is dangerous in the effect it is going to have on education and on educational leadership. But this government isn't concerned about educational reform. It's not concerned about students. Its sole concern in that attack on principals and vice-principals was to get even and get control.

I do agree with one section of the bill; it might surprise colleagues on the opposite side of the House. I think it is important to protect employees who had to miss work to care for their children. I base my support for that on one case; it may be an isolated case, and I hope it was. It may be based on the one case I heard of, that employees maybe need protection against the provincial government when it is the employer. I know of one case in which the provincial government informed its employees that they were not under any circumstances to miss work in order to provide child care. It may be that this clause is necessary to protect the employees of the provincial government against reprisals by their employer.

Clearly the major thrust of the bill is to provide \$40 a day to a maximum of \$400 per family to compensate for any inconvenience or child care expenses incurred. If you think this government is actually interested in compensating parents for expenses, I think we have to clarify a couple of things. This is not \$40 a day per child. I don't think there is any day care setting in the province that charges by the family rather than by the child, so obviously this is only going to offset the cost of care that might have been provided by a friendly neighbour.

Furthermore, as my colleagues have noted, there appears to be no requirement to produce a receipt that there were actually any costs incurred. I guess that's where the definition of "inconvenience" comes in. If a parent be-

lieves that he or she was inconvenienced, a claim can be made.

There is no clarity in the bill, but interestingly enough I found a clause in this bill that we find throughout Bill 160, and it's a clause that says, "The Minister of Education and Training may issue such directives to boards and establish such procedures as he or she considers advisable to carry out the intent and purpose of this section." So there doesn't need to be clarity in the bill, because once again the minister can do anything he chooses to do.

I think he may choose to clarify some of the issues about exactly how this payment works. For example, is it taxable or is it non-taxable? If no receipts are required, presumably no deduction is allowed for child care expenses. But if it is taxable and there are no receipts to prove it is a deductible expense, how much of a financial benefit does a family actually receive from the \$400? If it is not taxable and there are receipts, is it possible that a family could get the \$400 and still claim a tax deduction and essentially double-dip? There may be a few little questions about this that the minister may need to address through his new regulatory power. There are kind of annoying little questions that trouble a government that prefers to make public relations statements and figure out how things will work later.

That's why they keep putting into their bills total regulatory power for ministers, because their initial announcement, their whole agenda is public relations to camouflage their need to find dollars for a tax cut. After they make the public relations, they bring in the bill and they give the minister total control to figure out how to make it work. Except when it comes to something like raising \$6 billion worth of property taxes by cabinet, they still haven't figured out how to make it work, and we will find that shot some time in the new year.

There are some other rather annoying questions that haven't been answered. How much is this bill actually going to cost? We've been calling boards, we've been trying to get a sense of what boards feel it will cost. Some people feel it may actually be covered by their savings on teachers' salaries. I know the Lakehead separate school board in my home riding believes they will face a significant shortfall of some \$400,000. Even if boards break even on the payouts, they are still going to have to absorb thousands of dollars in administrative costs.

I find myself wondering how many textbooks you might be able to buy for schools in a district if those dollars could be spent on delivering what students need rather than delivering on the government's most recent PR move. Then actually I realized that if we talk about money spent on PR moves, you could buy a lot more textbooks with the money the government has spent on advertising than is actually going to be spent by boards on administering this program, so I guess it's a moot point. I would love to get all the advertising money back that this government has spent and spend that on textbooks to meet the needs of our students.

The bottom line: The government didn't know what this offer would cost. It cannot find out what it will cost be-

cause it doesn't have the data. It didn't care how much it would cost. This was a public relations move, and if it means education suffers even more, well, we'll just blame that on the teachers. And this is responsible government in action.

Then there is the little matter of the law. We have a letter from the Peel Board of Education written to the Minister of Education, and we have a similar question coming from the North York Board of Education because they noticed that in the Education Act, as it used to exist, if you had any money saved as a result of a strike by teachers, you put that into a reserve fund. You know what you did with the reserve fund? You were required by law to put the money in that reserve fund and give that money back to the local property taxpayers at the end of the year. It was in the law. The Peel board and the North York board are saying, "If we've spent this money already on the \$40 a day, how do we give that money back to all of our taxpayers?" There is an answer. The answer, I say to the Peel board and the North York board, is quite clearly in Bill 160, because under Bill 160, would you believe, you don't have to give the money back to the local taxpayers any more. The government has taken that part of the bill out. Think about it.

I don't want to be too cynical, but it seems to me that if we should have a lot of strikes in the future, and the government takes the money that is put into the reserve, the dollars saved on teachers' salaries during the strike, and if they are not required to give that money back to the local taxpayers, that becomes a fairly ready source of cash to help the government with its books at the end of the day.

2050

If you don't think that's true, ask why the amendments are in Bill 160 that make it clear that the money put into a reserve fund no longer is to be returned to taxpayers at the end of the year. It is probably not even legal now to return that money to local taxes. The whole idea was, if there is a service loss in the area, the local taxpayers should have their dollars returned to them. Technically, you could still do it with the government's new funding model, but the government is saying legally, "We're not going to put ourselves in the position where we might have to return that money to the local taxpayers."

They're certainly not going to do the \$40 a day per family in any future strike, that's clear, because they're not even going to let the York separate school board families have the \$40 a day since their teachers were in a legal strike position for part of the withdrawal of services period. Quite clearly, the government in the future is going to use any money saved on teachers' strikes to offset its own financing of education.

Public school boards have had similar kinds of questions about how this is going to work, about the legality of it, about whether or not it's going to turn out to be cost-neutral, but I thought one of the most interesting questions from the Ontario Public School Boards' Association president, Lynn Peterson, was made right at the moment in which the government announced its plan for this \$40 a day. She said: "You know, it's interesting because we've

done the calculations and we spend \$33 a day to educate a child in Ontario. Wouldn't it be a wonderful investment if this government, which is prepared to give \$40 a day to families, was prepared to spend \$40 a day per child to educate our children?" I thought that was a point well taken.

I can tell you there are some parents in my area who are going to make their claims and then donate the money back to their school to buy textbooks, and that's a movement that is going to grow. I have a letter here from Joanne Simperl from my riding who wants to start that movement because she wants her \$400 to be used to buy textbooks for the children in her school.

I think that speaks to the concern that parents are feeling and that this government must understand. Parents believe that \$32 million should be spent on education. They see more than \$100 million cut from junior kindergarten. They don't think \$40 a day is going to compensate for the loss of junior kindergarten if this government continues with its cuts. They see the cuts to special education and they know that contributing their \$40 a day back to the school can't turn that around and can't stop the loss of more special education classes with more cuts. There are adults who are parents who know that \$40 a day is not nearly enough to reverse the cuts to adult education and ensure that they'll have access to a program in the future.

These people are saying "No thanks" to the government's agenda on Bill 160 and on education. Some will say no to this government's \$40. Some will take it and put it back where they think it belongs. Others will take it to offset some of the real costs that they incurred, but all will say "No thanks" to this government's agenda and to its attacks on public education because this government hasn't convinced anyone how they can improve education with fewer teachers and less money. They haven't shown how you can have equity without adequacy, they haven't shown how you can find \$667 million in cuts by cutting waste and they haven't shown how they can bring in educational change when you make enemies of teachers and parents are saying "No thanks" to your agenda.

The Acting Speaker: Comments and questions? The Chair recognizes the member for Windsor-Riverside.

Mr Lessard: I want to commend the member for her comments on Bill 161. I noticed there were some government members earlier on who were speaking about the bill, but they weren't talking about Bill 161 and it's good that the member was concentrating her comments on that.

She talked about the attacks of this government on public education and how difficult it must be to be able to improve education while pulling out \$600 million from the system, and I think that parents of children in school will understand that. They'll also understand that this move to pay \$40 a day for parents who have children who were out of school during the teachers' protest is a move that is really fiscally irresponsible. This is a government that prides itself on fiscal responsibility, effective management of the economy, but it's a government that's prepared to give parents \$40 a day, no receipts required, just submit this application, not to the government but to public school

boards, and say: "Send the 40 bucks. Thank you very much."

It's really not fiscally responsible. It really amounts to buying the support of parents for Bill 160, which we know from polling that even the government itself has done is not being supported by parents, and it's really something that is to pay for the inconvenience of parents for the protest of teachers. That protest resulted from the total mismanagement by this government of education issues in Ontario. The parents' protest wouldn't have happened if this government had not totally mismanaged their dealings with teachers.

Mr Newman: It's my pleasure to rise in response to the member for Fort William. I know that she probably would have wanted to mention in her comments that as a result of the public hearings on Bill 160, we have a far better Bill 160 today because at the beginning of public hearings people talked about the fact that class size would be determined by regulation, that the amount of preparation time or time that teachers spend in front of the classroom would be determined by regulation and that outside professionals could be determined by regulation.

Many people are still saying that today, but the fact of the matter is, we listened during those public hearings and the amendments that were presented reflect what those people said during the public hearings. Issues of class size, issues of preparation time or time that teachers spend in front of the class or outside professionals are now actually in legislation, right in the body of the legislation and that proves that the legislative process through the public hearings and through this House have produced a far better Bill 160 for the people of Ontario.

Another comment that comes up a lot is the fact that decisions by the Education Improvement Commission are not reviewable by a court. If the Education Improvement Commission acts outside of the bounds of what they are allowed to do, of course that could be judicially reviewed in this province. The powers with respect to not being reviewable by a court are the same as those enjoyed by the Ontario Labour Relations Board, which was created in 1950. That's 47 years ago. It's the same powers of the Environmental Assessment Board of 1975 and it's the same power that the Social Assistance Review Board has, and that too was from 1975.

We've clearly listened to the people of Ontario and they said that Bill 160 needed to be improved. We've done that, and I think what we've seen here is that it has worked.

Mr Dominic Agostino (Hamilton East): I want to commend my colleague from Fort William for an excellent presentation. It clearly has outlined not only the flaws in Bill 160 but very clearly your attempt to bribe the taxpayers of Ontario with their own money through Bill 161.

Very clearly, the action that occurred was a result of this government wanting to pick a fight. They wanted to pick a fight with teachers because they felt they could crush teachers' federations. They felt they could crush teachers in this province, and you failed miserably. You didn't crush the teachers. You didn't crush the federations.

You were shocked that parents actually understood the issue and turned against you. You had public opinion going into the fight, and as soon as parents understood what your agenda was, your game was up, they came after you and now you're trying a \$40 bribe.

This is a government that believes that you improve the school system by attacking the people who are supposed to deliver this education. You feel it is important to attack teachers. You feel you benefit by discrediting teachers. You feel you can attack those who are responsible for the future of the children in this province and somehow that is going to lead to better education. Well, it isn't happening. You've attacked the teachers, you've spent the money and now you're going to be spending millions and bribing people with their own money.

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At the end of the day, though, you're going to lose this fight, and you know what? You're going to pass the bill in the next couple of days and you will win the fight with the bill right now, but you will pay a political price at the polls in two years. This bill, this debate, as you get defeated in two years, you'll look back and this will be the turning point, the beginning of the end for this government.

The public finds they're arrogant with their cockiness, the bully approach they've taken. You can mess with people, you can try to screw up people's lives as you have, but now you're messing with people's children, and this is the political price that you're going to pay. You sit here today surrounded by these walls and feel good. Face the public in two years and you're going to pay a price for what you've done to public education.

Mr Silipo: I want to commend the member for Fort William for her very thorough presentation. Not surprisingly, she linked the contents of Bill 161 back to what is happening throughout Bill 160. I can tell you, coming this evening from a meeting in one of the schools in my riding, St Sebastian Catholic school — again typical of many other meetings I've attended as have many members here on this side of the House throughout the province — of parents concerned about what all this is going to mean for their children in a Catholic school like that, where they were expecting that through some of the changes the government might make there may actually be more money for the Catholic school system, they are quickly realizing that they too will see cuts to the education of their children. It's just beginning to dawn on people more and more just what is coming, let alone what already has been done by this government.

To come back directly to Bill 161, I can't for the life of me get away from this thing that's in the bill whereby the government has now decreed that not only do you not need receipts to be able to justify the expenditure to get the \$400, but those receipts aren't necessary because you don't have to have incurred the child care expenses. As long as you have children in the system you can simply make an application and you'll get the money. That may very well be the only justice that comes from the Mike Harris government, that at the end of the day parents will

be able, if they fit those criteria, to get a little bit of money. Of course it's money that's going to come out of the school board's budget, and at the end of the day therefore that's also going to mean less money for school boards to spend in other services. But it's going to be there, and this fight certainly will continue.

The Acting Speaker: The member for Fort William has two minutes to respond.

Mrs McLeod: My colleagues from Windsor-Riverside, Hamilton East and Dovercourt will understand that the comments from the member for Scarborough Centre demand some response. The member has attempted to launch a defence of Bill 160, not Bill 161, by suggesting that after the committee hearings on Bill 160, the government acted to bring about a better bill, having listened to concerns.

The government listened to concerns all right. The government listened to concerns about the fact that the Minister of Education by regulation was going to be able to control class size, so they decided to enshrine their commitment to class size in the bill, not a commitment to smaller class sizes but the status quo, which means that our children will still be in classes of 36 and 38 and 40. When this government tries to implement even that, with reduced funding it is going to mean the gutting of the rest of the school system around those classrooms.

They enshrined in law the guarantee that we would have somewhere between 4,500 and 6,000 fewer secondary school teachers, which means we will have fewer teachers teaching more classes to more students, and that does not mean more time for students with their teachers. It means less time for individual students. They did take out the Henry VIII clause, reluctantly, because the Ministry of Education and Training said, "We're advised by the constitutional branch that this is not constitutional, but we think we need it anyway." But I guess the government decided they should take it out even if the Ministry of Education staff needed it.

Then they went on against everything we heard in the committee hearings on Bill 160 and they attacked our principals and vice-principals and destroyed education leadership for the foreseeable future as they leave principals and vice-principals out in limbo. They acted against the recommendation of every parent council representative and they made parent councils no longer advisory. They acted on the views of a few and they did not make this a better bill.

The Acting Speaker: Further debate? The Chair recognizes the member for Welland-Thorold.

Mr Kormos: Thank you, Speaker. Gosh, I know the rules have changed, but you had cut me down to a mere 10 minutes from the mere 20 to which I am entitled.

Mrs McLeod: You've got 20.

Mr Kormos: That's right, but it originally had said 10. It scared the daylight out of me. As it is, because of the rule changes, a mere 20 minutes is nowhere near adequate to fully discuss Bill 160.

I do want to mention that tomorrow morning down in Welland, high school students from across the community,

from high schools from every quarter of the city of Welland are going to be demonstrating. We have invited them to use the front of our constituency office at the corner of King and Division. They are going to be welcome there. They are going to be protesting Bill 160, high school students like students at Notre Dame.

Mr Lessard: Where will they come from?

Mr Kormos: I anticipate students from Eastdale high school will be there, students from Welland high and students from high schools across the province — Centennial.

It's the first time that they are going to be out there with placards, standing in solidarity with each other and with their families and with their teachers, protesting this government's imposition of Bill 160, protesting the demise of democracy here in Ontario, protesting this very direct attack on quality public education. If any of them are watching, they would be surprised to see this effort to divert attention away from what Mike Harris and his gang are doing to quality public education in this province with what is really kind of a silly bill in view of the fact that it came undoubtedly from the office of Mr Silly himself. I'm talking about the Premier.

I'm a little concerned because listening to the government members and reading the bill — and it's not a tough one. Even if Mr Harris, the Premier, were to take the time aside, he might be able to work his way through it. It would be in tune because it's kind of silly; it's like watching those infomercials late at night, where you know there's a gap somewhere. Well, you do. It's not all that it appears to be. You know there's a hook there. There is. There's a gap.

I'm looking at some of the angles because I encourage every Ontario parent to submit an application. By God, submit early and submit often, as long as you don't breach the act. I think if Ontarians ever deserved reparation, it's from this government, as a result of what this government has done. The bill doesn't go far enough.

What about the single mothers whose assistance levels were slashed by 22%? Where's the bill giving them compensation? That wasn't just inconvenience; that was a matter of the difference between being hungry and going to bed cold, or having a somewhat more modestly acceptable lifestyle. That's what the 22% cut in social assistance meant. Where's the bill compensating them for their inconvenience?

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Can we take this government at its word? I recall when the Attorney General stood up in this House and promised the victims of his family support plan bungling that they'd be compensated. It was a matter of: "Just send me a letter. Send me the claim." You know what happened there as a result of what the Attorney General, co-conspirator of the Premier, did to the family support plan. As a result of shutting down the nine regional offices and terminating almost 300 professional staff, moms and their kids went hungry, had utilities, gas, hydro, shut off just before and during Christmas of last year, in 1996, had cheques bounce, had telephones shut off, had eviction notices

served on them, had mortgages go into default. Where's their compensation? Because that went a little beyond inconvenience. It was a very painful and direct attack on the day-to-day welfare of those people. The Attorney General stood up and he promised they'd be taken care of. I'm not aware of one instance yet where the Attorney General and this government have lived up to their commitment to take care of those people.

What about the kids? What about the kids who have been denied junior kindergarten? This government, because it's got to pay off on its phoney tax break — it's got to pay off its rich friends — to help seize the money that it needs to pay off that tax break, cancelled junior kindergarten in this province. Where's the compensation for them? Again, that goes well beyond mere inconvenience.

I listen to the lines that have been prepared by undoubtedly high-priced spin doctors, the minions, the whiz kids, as they've been called, to try to peddle this stuff — and I encourage people, if you're the parent of kids under the age of 13 who were in school, apply for it, by all means. Be careful, make sure you apply before the prescribed deadline. You see, that's in subsection 3(5). I said there are some gaps here and I suspect that might be one of them, within "the prescribed deadline." It makes reference as well to the appropriate form.

Mr Wildman: Where are those forms?

Mr Kormos: "Where are the forms?" Exactly. I've got a feeling this government, if this bill were in effect now, would be inclined to tell people that the cheque is in the mail. You know, the world's three greatest lies: "The cheque is in the mail"; "Your money cheerfully refunded"; and "Hi, I'm from the Harris government and I'm here to help you."

One of the remarkable things this government did, and I say "remarkable" not because it was fantastic —

Mr Joseph Spina (Brampton North): Sure it was.

Mr Kormos: Hold on — not because it was worthy of celebration but because it was truly remarkable, worthy of remark, was that immediately upon the heels of slashing the assistance rates for the poorest in our society, for the unemployed, for single moms and their kids, they increased MPPs' salaries. Mike Harris and his gang increased MPPs' salaries so that the gross bill for taxpayers is now \$3 million a year higher than it was before Mike Harris's Tory caucus backbench salary increase bill.

Mr Wettlaufer: Careful, Peter, you voted for it.

Mr Kormos: Mr What's-his-name here wants to suggest who did and who didn't vote for it. I want to tell you this government has been embarrassed by the criticisms of it from the day it appeared as a bill in this House. First they denied that it constituted a salary increase. They denied it outright. They played the little games and the sleight of hand and the legerdemain of suggesting, "This is a decrease." My friend from Algoma made reference to "Orwellian phenomena."

This government figured if you call black white and white black and if you deny that two plus two equals four, if you say it loud enough and often enough and frequently enough and if you spend enough money on full-page ads in

papers across the province and have hokey TV commercials with the Premier arm-wrestling on a bookshelf of books that he's never read the titles of, never mind the contents, they somehow believe that if you spend enough money on that sort of stuff and say it often enough, people will believe it, that somehow it becomes truth.

This is why I say there's a gap here. There's something here that we're not quite getting the goods on. Just like the government wanted to insist that the Premier's salary increase for MPP backbencher incomes was a decrease when in fact the government's own budget, the government's own financial papers, show it isn't, the government now is trying to suggest that somehow it's compensating here. Oh, and it says it trusts the parents. It doesn't trust those parents enough to elect trustees to boards of education who have control over the schools within their bailiwick, because it stripped those boards of any and all real or meaningful power. So you see, it doesn't trust parents —

Mr Wettlaufer: On a point of order, Mr Speaker: I've been listening to the member for Welland-Thorold for several minutes and I have yet to hear him speak about Bill 161.

The Acting Speaker: That is a point of order. I've also been listening to the member for Welland-Thorold, and let me tell you that he is sticking to Bill 161 as well as he sticks to any subject he discusses.

Mr Kormos: God bless you, Speaker. That's why you and I have such a good rapport here in this assembly, because we understand each other. I appreciate the comments from the fellow behind me here too.

Interjections.

Mr Kormos: I've got to catch up now. The problem with interjections like that is that I get distracted and I have to back up. I have to turn the page back, reading from this prepared speech as I am, and find out where we were interrupted.

I was talking about the fact that there's a gap here. There's more going on here. Was it a diversion? As I say, the students who are going to be out there on the streets in Welland tomorrow morning would be surprised. I'm sure they're saying to their friends and their family members sitting beside them in the rec room: "What are they doing discussing Bill 161? This government is gutting public education. This government is abandoning us to this government's golden calf of their Bay Street buddies."

I was up at the University of Guelph a couple of months ago. Let me tell this to you, Speaker. I was talking to a group of university students there, deathly afraid for their academic futures because of this government's increase in tuition fees and its defunding of education at all levels. I recalled what this government had to say in their blue book, their Common Sense Revolution. That's right. It used to be back in the 1960s it was Mao who was waving the little red book. Now it's zealous Tories waving Mike Harris's Common Sense Revolution.

I spoke with these students and I reflected on the fact that here I am — I was born in 1952 — and I was the first generation of children of, in my case, not only working

class but also immigrant parents, those of us who were born in the 1950s, those post-war children, who could go to post-secondary college or university. Before my generation only the children of the very wealthy got to university.

I was speaking with these University of Guelph students. I was reflecting on the fact that here I am the kid of, again, immigrant and working-class parents and my great fear is that as a result of this government's gutting of public education and its abandonment of any sense of universality when it comes to access to quality education, the young people in university today may be the last generation of Ontarians who, as children of working-class parents, could ever dare dream of post-secondary education. That's the kind of vision this government has for Ontario and its citizens and its youth and its future.

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Regard what the Premier had to say just the other day about post-secondary education. He suggested there had to be a review of it because, by God, we have no need for those university programs that don't train people for jobs. He doesn't get it. He simply doesn't understand what post-secondary education is all about, what university education is all about.

Representatives of this government have talked about the problem of young people being overeducated. How in the name of Pete could you think about the prospect of people being overeducated? I understand it, coming from this bunch. But I reflect on my own opportunities. My parents and their parents, like so many others of their generations, worked too hard — they did — sacrificed too much, paid too big a price to build public education to ensure that, yes, even the children of working-class and other lower-income families can get to university, to let this government take it away in the course of a mere two or two and a half or three or three and half years.

Bill 160 won't abolish quality education. There's still going to be quality education in the province; I'm convinced of that. They're going to be called private schools. If families can afford the \$10,000-a-year or the \$15,000-a-year tuition to send their kids to those private schools, those kids will be getting half-decent educations. But for those other families, like most, who don't have that kind of spare cash sitting around because their tax break could be held in coins in one hand — because they weren't the top 10% of income-earners that this government is a slave to — their kids are going to be relegated to not just a second-class but a third-class school system; to classrooms that have been gutted, that have been torn apart; to classrooms whose teachers have been demoralized and placed under attack; to classrooms which don't even have qualified teachers, because that's part of what Bill 160 is all about.

This government is destroying in such short order what so many generations of Ontarians worked so hard to build, and they're surprised at the anger they're generating out there? They're surprised at the size of protests in terms of numbers and in terms of the vociferousness and the frustration and the despair across this province? They're surprised by that anger? When those same people —

teachers; 126,000 of them — children who are in their care, families who send their children to those publicly funded schools, entrusting their children's future with those teachers, see everything that's been built being destroyed in such short order, damn it, you're darn right there's going to be anger out there.

People are prepared in this province to make sacrifices to preserve the public institutions like quality public education that so many generations sacrificed so much for in their own right; I tell you that. But finally, and at the end of the day, the public of this province is going to resolve this issue with the speediest dismissal of any government that we've ever seen, bar none, and I say that being fully aware of the history of the last —

The Acting Speaker: The member's time has expired. Comments and questions.

Mr Wettlaufer: It's always interesting to listen to the member for Welland-Thorold. I thought we were going to be listening to Bill 161, but he obviously doesn't know what it's about because he never commented on it.

He talked about tax cuts. He talked about lack of jobs. He talked about salaries and benefits. Tax cuts create jobs. We have ample evidence of it — 235,000 new jobs have been created in the province of Ontario this year.

Mr Cullen: Is this the Royal Bank —

Mr Wettlaufer: It's really interesting to hear the mouthpiece from the back, have I listened to the Royal Bank. Yes, I have listened to the Royal Bank and the Royal Bank is predicting 495,000 jobs over the course of the next three years. I wonder how that happened.

Mr Cullen: In Canada.

Mr Wettlaufer: In Ontario.

The member for Welland-Thorold talked about salaries being increased by the MPPs here in this House. Salaries and benefits have a 5% reduction. But I understand that the member for Welland-Thorold can't calculate that because his government never could grasp finance, so it's quite easily understood.

He talks about the size of the anger and the size of the frustration. Well, in my office in Kitchener the phone calls I'm getting are numbering four and five to one in favour of our government's position on education.

Bill 161 has only come about as a result of an illegal strike. These people say: "Oh no, the judge didn't talk about an illegal strike. He didn't say that." Well no, he didn't rule on the strike; he only ruled that education hadn't yet suffered for —

The Acting Speaker: The member's time has expired. Further comments.

Mr Cullen: It gives me a great deal of pleasure to respond to the comments from the member for Welland-Thorold. I do have to remark that I believe the member for Kitchener had it right in terms of where Bill 161 sprang from. We have to go back to the weeks before the teachers' protest.

When the teachers were coming in and speaking with the government and trying to negotiate with the government, they saw very clearly the government's intentions were to take away the funding that created a good quality

of education in our province. They begged the minister. They said: "Sit down. Let's take some time over this. Let's work out some of these things so that you can get part of your agenda and we can make sure that the quality of education in this province is protected." But the government said no. The government refused to listen and provoked a teachers' protest whereby we have here, after two weeks of teachers going out and losing money on their own paycheque — they've gone out there. And then we find ourselves magically with Bill 161.

We could have avoided all this if we had talked to our partners in education, our partners who the government on the one hand says you can't trust the future of our children with — we heard the Premier of this province say that — but on the other hand the Ministry of Education says some time or another we have to sit down and work with our partners. How can you do that? You can't suck and blow at the same time. It's just impossible. Certainly the members opposite should recognize that.

Bill 161 is here solely as a PR product to deal with the outcome of the government's own intransigence in refusing to deal with the teachers of the day. What's going to happen in the very end? We have a bill, Bill 160, that has nothing to do with quality of education. We see the loss of local accountability, the loss of local tax dollars that provided for a good quality of education in our urban and suburban boards. It's all going to go up in smoke.

The Acting Speaker: The time has expired. Further comments and questions.

Mr Silipo: I realize that in this debate the line between Bill 160 and Bill 161 is crossed back and forth a number of times and in a number of ways. I just want to make one little observation. It's interesting that by the end of this debate, whenever this is over, we will likely have spent as much time in debate in this House on Bill 161, which is a relatively small bill — three or four pages — at the end of the day as we will have spent on 160, which is not only a huge bill in terms of size but which is, as we've been pointing out constantly, and as my colleague from Welland-Thorold has again done tonight, devastates the public education system in this province. Of course he would talk about that. Of course he would talk about the anger people feel out there. The member for Welland-Thorold was speaking about that strong and real anger that's out there and talking about how deep-rooted it is, particularly among people who, as he himself said, in his own generation were people who fought for their children to have the opportunity to go to post-secondary education.

He was best in the comments he made tonight and in pointing out, to the members opposite particularly, what kind of havoc they are wreaking with the changes they are bringing about in our school system. This bill, which is but a pale attempt at buying people's support and people's votes, is the kind of thing that should not even be dignified with any real response, even for a government such as this, which seems to have no limit in terms of how low they will stoop to cater to people's support and people's votes when it suits their agenda.

Again I congratulate the member for Welland-Thorold for hitting the nail on the head when he talked about that real anger that's out there, the real anger that people will not forget.

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Mr Newman: I'm pleased to comment on the member for Welland-Thorold's speech tonight. He spoke with a lot of passion during the Bill 161 debate, the Fairness to Parents and Employees Act, but the reality of the matter is that he didn't even say anything about Bill 161. In fact, I listened for the word "education" but I didn't hear it at all in his speech. I don't think he really dealt with this bill.

He spoke a lot about compassion and virtue, and I don't think he or anyone in his party has the monopoly on compassion or virtue. You would think they would, Mr Speaker.

Mr Cullen: A point of order, Mr Speaker.

The Acting Speaker: We'll take it after this.

Mr Cullen: Mr Speaker, a point of order has to be held straight away.

The Acting Speaker: I want to hear this speaker.

Mr Newman: We were talking about compassion and virtue and people having a monopoly on it and listening to other members. If they truly had that monopoly on compassion and virtue, he would have wanted to know that while he was in government, his government brought about 32 tax hikes in this province, which drove away 10,000 jobs right out of Ontario, 10,000 fewer people working after their five years. Revenues were down, and what we're seeing with this government today is that by cutting taxes since we've been in office 30 times — 30 tax cuts in this province, and the revenues are up. This has even been verified by the people in David Peterson's office. There was an excellent article in the *Globe and Mail*, I believe on October 8, 1997, by Patrick Monahan. He spoke about the fact that 33 tax hikes drove dollars down in this province, but our 30 tax cuts have actually brought more revenue into the province of Ontario and are bringing back more jobs. There are a quarter of a million more people working in this province today as a result of the tax cuts in Ontario.

The Acting Speaker: The Chair recognizes the member for Ottawa West on a point of order.

Mr Cullen: It is passing strange, Mr Speaker, that points of order are recognized after a speech. The rules of procedure in this House state it very explicitly. I merely wanted to draw to your attention that the time had expired, which is always in order to draw to the Speaker's attention.

The Acting Speaker: The Chair recognizes the member for Welland-Thorold for a response.

Mr Kormos: You know, I remember the years when there was a massive exodus of real jobs, of industrial jobs, from here in this province. It was the years following the Brian Mulroney free trade deal. It was the years of the impact of the GST. It was the years when the federal Tories wreaked havoc on industrial Ontario and created a scenario wherein the worst recession since the 1930s hit working people and seniors and the poor and sick here in

the province of Ontario. I also remember the recovery, which began through 1994 and 1995, which has been stalled by the policies of this government.

We had a crisis in this country a month ago: Unemployment stood a chance of dropping below 9%. What did the Bank of Canada do? It raised interest rates, with the friends of the federal government.

When we've got governments in this province that think economic growth consists of minimum-wage jobs that are inevitably part-time and temporary, like Harris and his gang do, when they speak and think of McJobs rather than real, paying jobs with real incomes and real futures, when they devalue labour, when they drive down

wages, we've got a government that isn't interested in developing an economy that's going to serve all of Ontarians; it's going to serve only that small group of their wealthy friends among whom wealth is becoming increasingly concentrated, with their approval and their support.

The Acting Speaker: It is the custom of this Chair to finish its business in a business-like way, so I would apologize for doing that.

It being a teensy-weensy bit past 9:30, this House stands adjourned until 1:30 tomorrow.

The House adjourned at 21:36.

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Cochrane North / -Nord	Wood, Len (ND)	Lambton	Beaubien, Marcel (PC)
Cochrane South / -Sud	Bisson, Gilles (ND)	Lanark-Renfrew	Jordan, W. Leo (PC)
Cornwall	Cleary, John C. (L)	Lawrence	Cordiano, Joseph (L)
Don Mills	Johnson, Hon / L'hon David (PC) Minister of Education and Training / ministre de l'Éducation et de la Formation	Leeds-Grenville	Runciman, Hon / L'hon Robert W. (PC) Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
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Elgin	North, Peter (Ind)	Mississauga South / -Sud	Marland, Hon / L'hon Margaret (PC) Minister without Portfolio (children's issues) / ministre sans portefeuille (enfance)
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Fort York	Marchese, Rosario (ND)		
Frontenac-Addington	Vankoughnet, Bill (PC)		
Grey-Owen Sound	Murdoch, Bill (PC)		
Guelph	Elliott, Brenda (PC)		
Halton Centre / -Centre	Young, Terence H. (PC)		

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Northumberland	Galt, Doug (PC)	Scarborough-Agincourt	Phillips, Gerry (L)
Oakville South / -Sud	Carr, Gary (PC)	Scarborough Centre / -Centre	Newman, Dan (PC)
Oakwood	Colle, Mike (L)	Scarborough East / -Est	Gilchrist, Steve (PC)
Oriole	Caplan, David (L)	Scarborough-Ellesmere	Mushinski, Marilyn (PC)
Oshawa	Ouellette, Jerry J. (PC)	Scarborough North / -Nord	Curling, Alvin (L)
Ottawa Centre / -Centre	Patten, Richard (L)	Scarborough West / -Ouest	Brown, Jim (PC)
Ottawa East / -Est	Grandmaître, Bernard (L)	Simcoe Centre / -Centre	Tascona, Joseph N. (PC)
Ottawa-Rideau	Guzzo, Garry J. (PC)	Simcoe East / -Est	McLean, Allan K. (PC)
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Ottawa West / -Ouest	Cullen, Alex (L)		Bartolucci, Rick (L)
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Parkdale	Ruprecht, Tony (L)	Sudbury East / -Est	Ramsay, David (L)
Parry Sound	Eves, Hon / L'hon Ernie L. (PC) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances	Timiskaming	Hodgson, Hon / L'hon Chris (PC) Minister of Northern Development and Mines, Chair of the Management Board of Cabinet / ministre du Développement du Nord et des Mines, président du Conseil de gestion
Perth	Johnson, Bert (PC)	Victoria-Haliburton	Witmer, Hon / L'hon Elizabeth (PC) Minister of Health / ministre de la Santé
Peterborough	Stewart, R. Gary (PC)		Kormos, Peter (ND)
Port Arthur	Gravelle, Michael (L)	Waterloo North / -Nord	Arnott, Ted (PC)
Prescott and Russell / Prescott et Russell	Lalonde, Jean-Marc (L)	Welland-Thorold	Doyle, Ed (PC)
Prince Edward-Lennox- South Hastings / Prince Edward-Lennox- Hastings-Sud	Fox, Gary (PC)	Wellington	Skarica, Toni (PC)
Quinte	Rollins, E.J. Douglas (PC)	Wentworth East / -Est	Harnick, Hon / L'hon Charles (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique	Wentworth North / -Nord	Kwinter, Monte (L)
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Riverdale	Churley, Marilyn (ND)		Pupatello, Sandra (L)
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St Andrew-St Patrick	Bassett, Hon / L'hon Isabel (PC) Minister of Citizenship, Culture and Recreation / ministre des Affaires civiques, de la Culture et des Loisirs	Windsor-Riverside	Palladini, Hon / L'hon Al (PC) Minister of Economic Development, Trade and Tourism / ministre du Développement économique, du Commerce et du Tourisme
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St George-St David	Leach, Hon / L'hon Al (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement	York Centre / -Centre	Klees, Frank (PC)
		York East / -Est	Sergio, Mario (L)
		York Mills	Kennedy, Gerard (L)
		York-Mackenzie	
		Yorkview	
		York South / -Sud	

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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Lyn McLeod, John L. Parker, Bruce Smith
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**Legislative Assembly
of Ontario**

First Session, 36th Parliament

**Assemblée législative
de l'Ontario**

Première session, 36^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Tuesday 25 November 1997

Mardi 25 novembre 1997

Speaker
Honourable Chris Stockwell

Président
L'honorable Chris Stockwell

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 25 November 1997

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 25 novembre 1997

*The House met at 1332.
Prayers.*

MEMBERS' STATEMENTS

EDUCATION REFORM

Mr John C. Cleary (Cornwall): Last evening Cornwall city council passed the following resolution:

"Whereas Bill 160 will cause irreparable damage to classroom education;

"Whereas Bill 160 will enable the provincial government to cut up to \$1 billion from education;

"Whereas Bill 160 will eliminate up to 10,000 teachers, cut programs and close schools;

"Whereas Bill 160 will mean less time and individual attention for students;

"Whereas Bill 160 will allow unqualified people in our classrooms;

"Whereas Bill 160 will prevent principals and vice-principals from being members of their teachers' federations;

"Whereas Bill 160 will give the provincial cabinet dictatorial powers over education and give parents, trustees and teachers little say over local school programs;

"Therefore, be it resolved that the city of Cornwall council request that the provincial government withdraw Bill 160 and negotiate in good faith with the teachers' federations for quality public education."

ONTARIO FEDERATION OF LABOUR

Mr David Christopherson (Hamilton Centre): It's with a great deal of pleasure and pride that I rise to announce to the House that the results of the election for the new president of the Ontario Federation of Labour are complete and Wayne Samuelson will be the new president of the Ontario Federation of Labour.

For the people of this province who care about health care, who care about education, who care about our seniors, who care about the environment, who care about jobs for youth and all the other things that this government has attacked and destroyed, just as important as the election of Wayne Samuelson to the presidency of the Ontario Federation of Labour is the fact that immediately after that Paul Forder, the other candidate for president, rose in front of that convention and moved that it be a unanimous decision of all the delegates present at the Ontario Federation of Labour.

The government's worst nightmare has come true. They had hoped and prayed that there would be a divided labour movement because they knew that there was a serious race to follow Gord Wilson, but the reality is that the delegates at that convention know that they're an integral part of defeating this government, of taking this government on and bringing them down, and under the leadership of Wayne Samuelson, supported by people like Paul Forder, you are coming down and the OFL will be out in front.

HEINZ PAUL

Mr Joseph Spina (Brampton North): I rise today on a sad occasion. A man whom I'm proud to have called a friend passed away this past weekend after a difficult and courageous battle with cancer. The man's name is Heinz Paul.

As many members know, including our Attorney General, Heinz was the cofounder of FAD or Families Against Deadbeats. Heinz and his people were also the main resource for many of the changes to the government's Bill 82 and changes to the former family support plan. In fact, Heinz was present for many of our debates on this bill.

He was born in Vienna in 1928. A mechanist in the textile industry, he came to Canada in 1952 with his wife Hilde. They had a daughter, Reni, the other cofounder of FAD. They have two grandchildren, Andy and Samantha, abandoned by a deadbeat father.

FAD was born in Bramalea as a result of the experiences of the family. His strong belief in family values and magnetic personality enabled him to build FAD into what it is today: a group of over 200 families, most of them mothers.

We joked with Heinz quite often and told him he was a better contact to the Attorney General's office than we had.

Since being elected, there has been no one who has had such an impact on me as the spirit and the determination of Heinz Paul to do what was right for the children's sake. God bless you, Heinz.

PROTECTION OF PRIVACY

Mr David Caplan (Oriole): I rise today to express the concerns I've been hearing at public meetings throughout my riding. My constituents are very concerned about the provisions in Bill 160 that allow for the violation of our children's rights to privacy and confidentiality of information.

Section 266 of Bill 160 provides for the collection, "directly or indirectly," whatever that means, of personal information on any student in the Ontario education system. The minister will do so through the Ontario education number. Collection, use or disclosure will require the production of numbers for administration, funding, planning and research purposes.

During the Bill 104 hearings, we saw this government compile dossiers of information on people making public presentations before the committee. It certainly makes one wonder about the motives of this government. Why does the government want this information? What will the government do with this information? Who has access to it? Why have they exempted portions of the Freedom of Information and Protection of Privacy Act which would allow people to know that information is being accessed relating to their file? Finally, who will the minister appoint as his designate to oversee the collection, use and distribution of this data?

Until we have such answers to these critical questions, how can anyone in this House in good conscience support such a violation of basic human rights and the norms of protection of privacy?

EDUCATION FINANCING

Mr Bud Wildman (Algoma): I have with me here a very small sample of the enormous number of petitions that have been forwarded to me and to other members in opposition to Bill 160. These petitions are signed by residents of Mississauga, Elliot Lake, Newcastle, Peterborough, Etobicoke, Toronto and many other communities across the province, by thousands of residents who care about education.

Many of these petitioners of course are parents of students in our education system who are concerned about the future of education under the centralized approach the government is proposing in Bill 160. They are concerned that the real purpose of centralization is for the provincial Conservative government to gain control over the funding of education and the taxation for education in order to ensure that the government can remove another \$1 billion over and above the hundreds of millions of dollars the government has already removed from classroom education.

The Tories made a commitment in the last election campaign that they would not hurt classroom education funding. They have broken that commitment. They are now ensuring that they will be able to get even more money out with Bill 160.

1340

ORILLIA SOLDIERS' MEMORIAL HOSPITAL

Mr Allan K. McLean (Simcoe East): I am proud to congratulate Soldiers' Memorial Hospital in Orillia for winning the Canada Award for Excellence. The staff,

management and board members were recognized by the National Quality Institute on October 29 for outstanding work in creating and implementing quality and innovative patient care programs. As one staff member said, "Practising the art of nursing and treating individuals with kindness is an important part of care delivery."

Due to growth of information and modern technology, Ontario's rural health care system is being pressured to meet new demands for hospital, at-home and long-term care. Administer Glen Penwarden described it best when he said, "Eventually, people are no longer content to be average — they want to be the best."

With a positive leadership attitude, former Health Minister Jim Wilson invited Soldiers' to apply to the Canada-Ontario infrastructure works program for funding assistance of a \$3.6-million redevelopment project. Final approval has been given for approximately \$3.6 million in assistance from the province, the federal government, the city of Orillia and the county of Simcoe. The official announcement is expected shortly.

Soldiers' adopted a flexible attitude, encouraging new partnerships and new approaches to expand services, add programs and present a balanced budget. I join my constituents in Simcoe East in extending my congratulations to Soldiers' Memorial for this outstanding achievement of excellence in health care.

EDUCATION FINANCING

Mr Richard Patten (Ottawa Centre): From day one, the Mike Harris government has argued that cuts could be made to education by streamlining administration. That was the argument when the Harris government forced school boards to permanently absorb the \$425 million in "temporary" social contract cuts. It was the same argument used when the Harris government slashed provincial funding for education in 1995 and 1996 by \$533 million.

When it was revealed that costs resulting from school board amalgamations would cost boards a minimum of \$350 million, they were told that streamlining administration would offset the cuts. At the same time as these funding cuts, the number of students in the system has increased as much as 86,000 over the last five years. How were school boards told to handle the \$350-million at minimum in the increase? Right on. Streamline administration again, they were told. Now the government wants to cut an additional \$667 million.

So in summary we have \$425 million for social contract losses, the increased enrolment of \$350 million, budget cuts of \$533 million, amalgamation transition costs of \$350 million and next year's proposed \$667 million. Next year the Harris government will have overseen reductions to education that will amount to well over \$2.3 billion. How can the Premier believe that the quality of education will not —

The Speaker (Hon Chris Stockwell): Statements, member for Beaches-Woodbine.

EDUCATION REFORM

Ms Frances Lankin (Beaches-Woodbine): I always feel such great pride and honour being elected to represent the community of Beaches-Woodbine. It is an amazing community to live in. It is an amazing community to be a neighbour in, to share with people, to work together, and I have always described it as being like a small town in the middle of a big city.

This last few weeks, that has been underscored for me again, as I have seen parents come together with their concern for the future of the education system and form a network of parents who are actively fighting Bill 160 and this government's agenda for reform. The East End Parents' Network, which is comprised of parents in the riding of Beaches-Woodbine and the riding of Riverdale, joined myself and my colleague from Riverdale, Marilyn Churley, on Saturday as they kicked off the petition campaign calling for this government to hold a referendum on the withdrawal or the repeal of Bill 160. I am so proud and so amazed by the energy and the commitment of the people of our communities and have been so honoured to work with them on this incredibly important fight.

One of the people who was there said to me, "Our community has lit a small spark and that spark has turned into a bonfire across this province." Thousands and thousands of people are joining in this petition drive to call on this government to hold a referendum. The people don't want Bill 160 and they want an opportunity to tell you about it. Hold the referendum.

GOOD NEIGHBOURS

Mr Joseph N. Tascona (Simcoe Centre): I rise in the House today to speak about the Bradford West Gwillimbury Good Neighbours committee and its ongoing public awareness campaign to encourage individuals to take personal responsibility for their community. This group was started in 1994 and organizes events and programs including a food drive where firefighters fill the role of Santa and police officers take pictures while children and their parents donate items for the food drive, and a buddy system for seniors in apartment buildings. This program encourages elderly neighbours to watch out for each other and to be aware if one of their buddies might need help.

Last Friday, November 21, a number of groups and people in Bradford West Gwillimbury received Good Neighbours recognition certificates. Some of those recognized include Generation Youth, a group of young people that organizes events and coordinates community efforts; Bill Markwick, who was honoured for his efforts to revitalize Bradford's downtown — he personally grows and maintains the flowers along the main street and in front of heritage buildings; and Bea Poxson, who was honoured for her long-time involvement with minor baseball. Also honoured were Mrs Annie Cooke, a 90-year-old whose policy of an open door and a cup of tea is

a cheerful aspect of the community, and Janet Evans for her work with the physically disabled.

Mrs Sylvia Luxton is the spirited leader of this band of involved individuals. I would like to thank all of the volunteers whose efforts make Bradford West Gwillimbury a good place to live. It is individuals like these who in turn make towns like this a proper place to live.

VISITOR

The Speaker (Hon Chris Stockwell): I'd like to take this opportunity to introduce in the Speaker's gallery a member from the 35th Parliament, the member for Yorkview, now the member for Ward 6 in the new Metro megacity, Mr George Mammoliti. Welcome.

ANNUAL REPORT, PROVINCIAL AUDITOR

The Speaker (Hon Chris Stockwell): I beg to inform the House that I have today laid upon the table the 1997 Annual Report of the Provincial Auditor.

INTRODUCTION OF BILLS

TAX CREDITS TO CREATE
JOBS ACT, 1997LOI DE 1997 ACCORDANT DES CRÉDITS
D'IMPÔT POUR CRÉER DES EMPLOIS

Mr Eves moved first reading of the following bill:

Bill 164, An Act to implement job creation measures and other measures contained in the 1997 Budget and to make other amendments to statutes administered by the Ministry of Finance or relating to taxation matters / Projet de loi 164, Loi visant à mettre en œuvre des mesures de création d'emplois et d'autres mesures mentionnées dans le budget de 1997 et à apporter d'autres modifications à des lois dont l'application relève du ministère des Finances ou qui traitent de questions fiscales.

The Speaker (Hon Chris Stockwell): Is it the pleasure of the House that the motion carry? Carried.

Mr Eves?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): I have no further comment at this time. I'll be making a statement during ministerial statements about the bill.

MOTIONS

APPOINTMENT OF INTERIM
INFORMATION AND PRIVACY
COMMISSIONER

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): I would ask for

unanimous consent to waive notice to move a motion to appoint the interim Information and Privacy Commissioner.

The Speaker (Hon Chris Stockwell): Is there unanimous consent to do so? Agreed.

Hon Mr Sterling: I move that an humble address be presented to the Lieutenant Governor in Council as follows:

"To the Lieutenant Governor in Council:

"We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the province of Ontario, now assembled, request the appointment of Ann Cavoukian, current interim Information and Privacy Commissioner, to act as interim Information and Privacy Commissioner until May 30, 1998, or until the Legislative Assembly appoints a permanent Information and Privacy Commissioner, whichever is earlier."

And that the address be engrossed and presented to the Lieutenant Governor in Council by the Speaker.

The Speaker: Is it the pleasure of the House that the motion carry? Carried.

1350

STATEMENTS BY THE MINISTRY AND RESPONSES

TAX CREDITS

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): Leading up to the 1997 budget, we talked to Ontarians and they told us what was needed to help business grow and to keep Ontario as a competitive jurisdiction. On May 6 of this year, I presented a budget that invests in Ontario's future by building on and strengthening our economy, by investing in children and in families and in jobs. At that time I announced support for child care, small business, research and development, new technology and cultural industries.

Since the budget, we have continued our consultations and Ontarians have provided us with more good ideas. We listened to them and we are responding.

The bill I am introducing today, if passed, not only delivers upon our budget commitments but reflects the enhancements that Ontarians told us would further create economic growth and employment in Ontario. In addition to the budget initiatives, the bill introduces a number of technical amendments, housekeeping measures and initiatives that parallel changes to the federal tax administration.

During the last 10 years, two out of every three jobs created in Ontario were created in the knowledge and technology-based industries. Leading-edge technologies are a key to creating more well-paid jobs for Ontario's youth.

The legislation I am introducing today extends the leading-edge technology component of the cooperative education tax credit to include approved apprenticeships

and private sector vocational programs. The legislation also increases the Ontario computer animation and special effects tax credit to 20% from 15%, to further encourage companies in this growing and dynamic segment of the film and television production industry to expand and create jobs here in Ontario. This tax credit will help ensure the talented people trained here in Ontario have opportunities to work here in Ontario.

In addition to these tax credit enhancements, this bill would deliver on our commitment to strengthening Ontario's research and development competitiveness and forging stronger links between the private sector and Ontario's post-secondary research institutions through the Ontario business-research institute tax credit.

The Ontario new technology tax incentive would encourage acquisition and commercialization of new technology by allowing firms to deduct immediately the costs of new technology acquired, as we promised.

The small business sector is the engine of Ontario's economy and an important job creator for our youth. We recognize that and we are enhancing our budget commitment to ensure that small businesses receive the necessary incentives to provide Ontario's young people with jobs. As such, this bill, if passed, will increase the tax credit rate for small business for both the graduate transitions tax credit and the cooperative education tax credit.

To help small businesses get greater access to financing, we listened to stakeholders' advice on making the community small business investment fund more attractive.

This bill would provide further support for small businesses by enhancing and simplifying the small business investment tax credit for banks, trust companies, credit unions and caisses populaires that allow these financial institutions to earn back their tax when they invest in or lend to small businesses.

This bill recognizes the important contribution of our domestic film and television industry to our economy. Not only am I pleased to tell you today that this bill implements the 1997 budget proposal to increase Ontario's domestic film and television tax credit rate to 20% from 15%; I am also pleased to announce that legislation will be introduced in the future to expand eligible genres and remove caps on size of production and credit totals. These changes would significantly expand the amount of eligible Canadian content production that will qualify for Ontario's tax credit and help ensure that Ontario continues to be a leading film and television production centre in North America.

Furthermore, we will be consulting with the federal government on the 48% cap on qualifying expenditures for the domestic film and television tax credit in an effort to work in concert as we harmonize Ontario's film tax credits with the federal system. In addition, Ontario will also be reviewing existing caps under the computer animation and special effects tax credit.

This bill proposes further support for Ontario's cultural industries by expanding the book-publishing tax credit to

include educational textbooks and the first-time illustrators of children's books.

To help Ontarians take advantage of opportunities opening up around our province, the bill also supports lower-income working families who are not benefiting from the current child care funding by implementing our budget commitment for a child care tax credit. This tax credit would be a new investment of \$40 million to support lower-income working families and their children. About 90,000 families and 125,000 children would benefit from the 1997 tax credit.

We remain committed to ensuring that Ontarians receive high-quality services in a cost-effective way. If passed, this legislation delivers on our commitment to reduce costs and make sense of the division of provincial and municipal responsibilities by returning property assessment to municipalities where it can be done more efficiently.

After a quarter of a century of the province running this local tax base, local governments would control and manage it. With the completion of the province-wide assessment, there is no better time for this action than now. These measures are part of the government's plan to make Ontario the best place in the world in which to live, work and invest.

These 1997 budget initiatives build on the many initiatives we have already implemented to create a climate where investment and initiative are rewarded in an atmosphere of confidence and hope.

We came to office just over two years ago knowing that the private sector was the primary economic engine of Ontario and that it was our responsibility to motivate entrepreneurs to invest and create jobs here. This is what we are doing by cutting taxes, eliminating barriers to growth and very simply providing the private sector with the tools it needs to invest, compete and create jobs for the people of Ontario.

Mr Gerry Phillips (Scarborough-Agincourt): The real purpose of the bill is to set up the assessment corporation. I would just say that here we are, five weeks before the start of a new year, the Ontario assessment system is changing like never before and, in typical Harris fashion, we still don't have the corporation set up, the organization set up that's supposed to handle this. So today, finally a bill comes forward, but the municipalities are going to pick up \$120 million of costs that used to be handled by the province; they now will be on the property taxpayers. It's introduced five weeks before this corporation is supposed to begin working. It's like setting up a huge organization five weeks from now and you've just finally introduced the legislation.

I would say to the minister, it's mismanagement. The municipalities should have seen this months ago. They're going to want to have some input and some discussion.

Hon Mr Eves: It's their proposal.

Mr Phillips: The Minister of Finance doesn't like to hear this, but you should have —

Hon Mr Eves: It's their proposal.

The Speaker (Hon Chris Stockwell): Minister of Finance, come to order.

Mr Phillips: There he goes, he's yelling now, but you should have brought this forward. It's mismanagement. I used to be in the private sector and the private sector is laughing at you when you set up an organization in five weeks.

The second point I'd make is the public is now aware that Mike Harris wants to set \$6 billion of property tax with the stroke of a pen, by regulation; no legislation, nothing. What we have today, and I think the public understands it, is a bill designed to deal with probably about \$30 million of taxes. So no bill, no legislation on \$6 billion of property tax, no opportunity to debate it, but something that will cost the taxpayers about \$30 million in taxes. We have this, and that's good, that's how we should deal with tax measures, through legislation.

But no, Mike Harris doesn't want to give the public any input into \$6 billion worth of property taxes. We could not have had a more dramatic demonstration. Two days from now Mike Harris will want to force through Bill 160, ram it through here, giving himself the power to set \$6 billion worth of taxes by regulation, and yet two days before, there's what we're dealing with, that bill. We must debate that bill. People must have a chance for input. We should have a chance to vote on it, and that's right.

But what more dramatic illustration of the reason we should be dealing with Bill 160 tax measures through legislation than the government itself today, red-faced, bringing forward legislation dealing with, as I say, maybe \$30 million of taxes but refusing to give the public any opportunity to debate the legislation on \$6 billion worth of taxes?

I think the public understands. Five weeks before a huge corporation is to be set up, frankly to try to correct the mess this is going to be, and rammed through, I gather, in five weeks — but we do not get any opportunity to debate \$6 billion worth of Mike Harris's property tax bills.

1400

Ms Annamarie Castrilli (Downsview): This is a government that likes to boast of its financial expertise. They like to tell us that they manage their affairs well, that they're the taxfighters. Well, today the Provincial Auditor released a report which puts a bogus to that theory.

Listen to how they manage their own affairs. The Provincial Auditor today released a report, and the report on just one ministry alone is telling. We don't have time to go through all of them, but just look at what they've done with respect to the backlog in the courts. Despite all their promises, despite all their actions, the backlogs in the courts have almost doubled, that is, the critical ones that risk being thrown out of court. That means that alleged rapists, alleged thieves, individuals who will not be heard, cases that will not be tried, all stand to be thrown out of court.

Worse, the Provincial Auditor documents that there are \$316 million worth of fines that this government has not collected. In two years they have not collected one cent of

these fines, money that could have been used to implement the tax cut of which they're so fond. They're busy cutting social services, education and health care instead of going after the money that is legitimately owed by offenders to this government. What the Provincial Auditor has demonstrated today is total bungling, total mismanagement. They've finally been exposed for what they are.

Mr Howard Hampton (Rainy River): I want to respond to the statement by the Minister of Finance because there is so much that is unsaid. First of all, this bill is about a number of so-called tax credits. I want to go into why the government has to bring this forward at this time with such urgency.

You see, part of this is about training, about a training tax credit. Well, there was a program in Ontario called Jobs Ontario Training which a lot of people in the private sector were able to access for the purpose of training. This government, that thought it knew everything, wiped that out. Now what are they discovering two and a half years later? They're discovering that many of the new industries, if they're going to locate in Ontario, need some money dedicated to training, especially to training young workers.

This government has created a mess by wiping out training funds in the first three months they were the government. They're now having to run around and backtrack and put in place a tax credit to provide for training, because training is intimately tied to the new industries, whether the new industries are biotechnology or whether the new industries are information systems and telecommunications. You have to have access to training if we're going to get our share of the new industries. This government is rushing in today because it's trying to cover up the mistake it made by cutting training funds two and a half years ago.

Then there is reference here to money for the film industry. This is the government that two and a half years ago wiped out any programs intended to assist in bringing the film industry to Ontario and helping the film industry broaden in Ontario. That's what you did in your first six months in government. Now you're here trying to cover your tracks.

Also, we see reference to book publishing. In the first six months, this government virtually devastated book publishing in this province. Then there is reference to the other cultural industries. In the first six months of your government, you virtually decimated anything intended at helping the cultural industries, which are huge creators of new jobs. You virtually devastated any chance they had to get started in this province.

To give you a sense of the magnitude of the mistake this government has made, four years ago Ontario was one of the provinces that was in the lead in terms of biotechnology. Today, two and a half years later, Ontario is fourth. Quebec leads, British Columbia is second and Saskatchewan, little Saskatchewan, has edged out Ontario in terms of new biotechnology.

This is all about this government trying to cover up the ridiculous mistakes it made in its first two and a half years

as government. But it's about more than that. This is the Conservative Party brag: that they were going to create 725,000 new jobs in Ontario in their first term as government. They'll be lucky if they get halfway. Ontario lost jobs last month, and I suspect one of the reasons we're seeing this bill today is because the job numbers for this month are not too attractive. This is again a desperate move by this government to try to say something good about a job picture that has not been very good at all.

Finally, let me deal with the issue of taxes. In the next week, this government is going to force through Bill 152, the downloading bill, which essentially will force \$1.5 billion in new costs on to municipalities, and they'll force through Bill 160, which will mean a \$6-billion tax levy by this government. We have in effect tax and fiscal moves of \$7.5 billion by this government, and they either want to have no debate on it or they want to limit debate on it. Then they bring forward this.

ORAL QUESTIONS

EDUCATION FINANCING

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Minister of Finance. After weeks of silence, you admitted in this Legislature that some Ontario businesses are going to see their property taxes increase as a result of Bill 160. That was a very important admission for the people who run businesses in Ontario to get hold of.

As you might imagine, they are in a constant state of making preparations, drawing up budgets and making business plans. They need to know how many people they can hire, they need to know who they're going to have to lay off.

Yesterday you didn't have the answer to this question, so I'm going to ask you once again. Which businesses in Ontario are going to experience property tax increases as a result of your Bill 160?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): As I said to the leader of the official opposition yesterday, on an individual basis there will be winners and losers as a result of the new property tax system, but the total bill for business with respect to education will not be going up. The total amount of the bill will not be going up. I know he finds that difficult to believe, when for 10 years the two previous administrations saw property taxes in this province rise by 82%. I know it's hard for him to comprehend that they will be frozen now, that they will not be going up, but that is the case.

With respect to individual businesses and individual municipalities, when the assessment information is entirely complete and the reassessment is done, which will be done by the end of this year — by the end of this week it will be 80% complete; by the end of this year it will be 100% complete — we will be sharing that information

with municipalities and they will be able share that on a property by property basis with their taxpayers.

1410

Mr McGuinty: It's important to understand what this Minister of Finance is saying. He's telling us that he's about to invoke a measure, he's about to pass a law in Ontario on behalf of the Taxfighter government, which is going to increase property taxes for Ontario businesses. That's exactly what you're going to do.

Hon Mr Eves: No, it's going to keep them the same.

The Speaker (Hon Chris Stockwell): Minister of Finance, you get an opportunity to answer the questions.

Mr McGuinty: With great fanfare this minister just stood up in this House and told us in the most grandiose way what he's going to do to encourage business development in Ontario. On the other hand what he's doing is putting into place, through Bill 160, the means by which he's going to increase property taxes for our businesses. You can't have it both ways. You were going to fight taxes. You were going to bring them down, and now what we're talking about is increasing them. Tell me, Minister, where do you get off as the Taxfighter increasing property taxes for our businesses?

Hon Mr Eves: To the leader of the official opposition, I know this is a difficult concept for him to comprehend. We are freezing business taxes on property in the province of Ontario. Understand that. The combined administrations of David Peterson and Bob Rae raised the revenue generated by those same property taxes 120% in 10 years. We are stopping that. We are freezing it. It's not going up. I know you find that hard to understand but that's the reality. We're not going to ask business to pay more. We're freezing their tax rates.

Mr McGuinty: Now that the minister and I agree that he's about to increase property taxes for Ontario businesses, I want to talk about —

Interjections.

Mr McGuinty: Now that we understand that one of the ends of 160 is going to be to increase property taxes for Ontario businesses, let's talk a bit about the process. Your Minister of Education said it was wrong for government to raise taxes behind closed doors by the stroke of a pen. He said that if we're about to do that kind of thing that should be brought into this House so it can be the subject of debate and where we can vote on it. That's what your guy, the Minister of Education, said. I'm wondering now if you, as Minister of Finance and Deputy Premier of this province, happen to agree with this minister, because I do. Do you agree with him? Whether or not we're going to raise \$6 billion in taxes, should that not be the subject of a debate in this House?

Hon Mr Eves: We have been debating Bill 160 for many, many weeks. We are debating it in the House. He's doing it right now as he speaks.

Interjections.

The Speaker: Minister.

Hon Mr Eves: We are not raising business property taxes with respect to education. The total amount will not

go up. I know that's difficult for the leader of the official opposition to understand, but it's the truth.

Also, with respect to municipal property taxes on businesses, we're leaving municipalities the option to charge a lower rate for smaller commercial properties — something your government never did — to help out small business in the province of Ontario. Your legacy of the David Peterson government was an employer health tax, a payroll tax to hurt virtually every single business, especially small ones in Ontario. You introduced the commercial concentration tax in the greater Toronto metropolitan area and you raised taxes 33 times in five years. We've lowered them 30 times in two years. Where do you get off talking about anything to do with taxes?

Interjections.

The Speaker: Order, thank you. Member for Brantford, thank you, and St Catharines. New question, official opposition.

EDUCATION REFORM

Mr Dalton McGuinty (Leader of the Opposition): No more holidays for the Minister of Finance. I can't sustain it, Speaker.

I'm going to move on to the Minister of Education. You will know that we have raised a number of questions in this Legislature until we are blue in the face which you have been unable or have refused to answer with respect to Bill 160.

We don't know which businesses are going to have their property taxes increased as a result of Bill 160 and we don't know how much their property taxes are going to go up. We don't know how many hundreds of millions of dollars specifically you're going to be taking out of the system of public education through Bill 160 and we don't know how many fewer teachers are going to be available to teach our students.

I want to come back to that last one, one more time, and I want to give you this opportunity once again as we go into the home stretch on Bill 160: How many fewer teachers are going to be available to teach Ontario students as a result of your Bill 160?

Hon David Johnson (Minister of Education and Training): Yesterday I answered this question and I'll say the same thing today. That is a decision, in terms of the staffing, in terms of the appropriate number of teachers in each school and each board across the province of Ontario, that has been made by the respective boards and it is a decision that will continue to be made by the respective boards.

One thing I'll say: As a result of the changes brought in by this government, there will be fair funding to each board and to each school right across Ontario. That will guarantee the fair and appropriate number of teachers in each and every school in each and every board right across Ontario.

Mr McGuinty: Everybody understands that you want fewer teachers in Ontario schools. There is no debate about that. Let me tell you somebody in particular who

understands this only too well, and that's a former teacher. In fact it's Julia Munro, the member for Durham-York, who said: "The concern remains that there will be fewer teachers in the high schools teaching the same number of students. The education system cannot be enhanced unless there are enough teachers to meet the needs of students through quality instruction. This is the position I am actively advocating with my caucus colleagues at every available opportunity."

I want to support her in her efforts to make you understand, Minister, that we cannot improve education by reducing the number of teachers who are available to teach our students. I am going to ask you, will you listen to Julia Munro and will you listen to parents and to students who are telling us that we simply cannot improve education in Ontario by reducing the number of teachers who teach our students?

Hon David Johnson: My answer is clearly yes, I do listen to the member for Durham-York, Julia Munro; I do listen to parents. What I hear from the member for Durham-York and from parents is concern for our education system, concern that has been expressed over many years, many quality improvements that should be implemented, quality improvements that will come through Bill 160. Through Bill 160, we ask our teachers to spend the same amount of class time in the classroom as teachers do in other jurisdictions in the elementary system and in the secondary system. Is there anything that's not fair about that?

Through this whole process each and every school and each and every board will get a fair amount of money to establish the excellence in education, the kind of programs that Julia Munro wants to see, that I want to see and that our parents want to see.

1420

Mr McGuinty: We have been around this now a number of times and I'll keep coming back to it again and again in the hope that you are going to see the light and that when it comes to Bill 160 you'll recognize what it's really all about. It's not about improving education in Ontario; it's about taking money out of the system and it's about having fewer teachers available to teach our students. That's what Bill 160 is all about. Everybody today in this province has come to recognize that.

You have had criticism from your own members of your own caucus. You have had criticism from members of your own cabinet. You yourself, Minister, have criticized your own bill. You're shepherding this through the Legislature and I think it may be the only case in history where a minister has stood up in this Legislature and agreed and disagreed with the contents of his bill.

This is my last question for you today; you can relax. Will you just stand up here and now and tell us this isn't about improving education; it's about taking money out of the system and it's about having fewer teachers available to teach Ontario students?

Hon David Johnson: I'm sorry to hear this is my last question of the day from the leader of the second party, particularly since he's going blue in the face on this

particular issue. What this government has said over and over again, what I will say over and over again, is that this bill is about three things. It's about establishing quality in our education system. Is it not adding quality to our education system to ensure that the average class sizes do not, as they have in the past, go up, to ensure that the class sizes do not increase? Is it not adding quality to ensure that our students have access to the same number of instructional days as students do in other jurisdictions?

It's also about accountability, accountability back through to the parents and the community in which the schools are located to ensure that the school councils are involved. And yes, it's about efficiency in the system because we expect the Ministry of Education and every ministry to be involved in solving our financial problems for the sake of the —

The Speaker (Hon Chris Stockwell): Thank you. New question, leader of the third party.

EDUCATION FINANCING

Mr Howard Hampton (Rainy River): My question is also for the Minister of Education and Training. Section 207 of the Education Act makes it illegal for boards of education to do what you are trying to do under Bill 160. Under section 207 of the Education Act, before a school board sets a property tax rate, a recommendation has to come forward at a public meeting. Following that meeting there has to be time for public debate, for scrutiny by the public, by parents and by ratepayers. Then they have to go to another public meeting in order to pass or set that tax rate.

It's an accountable process; it's an open, public process. Why are you trying to avoid that public scrutiny? Why are you trying to avoid that public process? Why are you trying to move the setting of tax rates behind closed doors?

Hon David Johnson (Minister of Education and Training): I refer this question to the Minister of Finance.

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): I appreciate the fact that the leader of the third party has just enunciated that we are debating Bill 160 here in the Legislature. We have been debating it for many, many weeks. With respect to the exact rate and ratios with respect to taxation, those cannot be set — as I explained to the leader of the official opposition yesterday — until all assessment information is in the province of Ontario. It will be in within a month and a week. We will then be able to set those rates. But I can assure him of one thing, that the total amount of tax revenue that's raised by that rate will not go up.

Mr Hampton: The minister tries very hard to miss the point. What you've talked about in terms of freezing the tax rate is nowhere in Bill 160 — nowhere. Quit trying to put that across to the public. Quit trying to call this debate about Bill 160 a debate about setting the tax rate. The tax rate, under Bill 160, can be set by you by quietly passing a regulation. That regulation will not be open to any public inspection, any public debate, open to any exercise

of the democratic process. What are you afraid of? Are you afraid that having a democratic process around the setting of the tax rate will give parents a forum where they can come and ask more embarrassing questions of your government, questions you can't answer? Why are you taking something that is public and open and subject to the democratic process and trying to ram it behind closed doors? Don't you have any respect for democracy?

Hon Mr Eves: The leader of the third party knows full well that Bill 160, as he said, provides for the setting of the rate, and he's correct with respect to the Minister of Finance having the ability to set the rate.

Mr Hampton: Behind closed doors.

Hon Mr Eves: Not behind closed doors. Regulations, with all due respect, are subject to public scrutiny and they will be subject to public scrutiny.

Interjection.

The Speaker (Hon Chris Stockwell): Member for Wentworth East, would you please come to order.

Hon Mr Eves: As the leader of the third party understands — at least I hope he understands — the province is assuming responsibility for the public education process in Ontario. We are going through a transitional phase. It will be necessary for us to wait until we get all the factual and assessment information in this year to be able to set the rate. I have guaranteed to the people of Ontario that that rate will not raise any more money than is currently being raised in education taxes today. After that is done, as my colleague the Minister of Education said last week and has said on previous occasions, as recently as yesterday, we'll be looking at a part of the legislative process to do it in future years. He might want to ask himself why the province of British Columbia, with his good NDP friends, has had this system for years and intends to keep it.

Mr Hampton: The minister refers to something that the Social Credit government brought in in British Columbia. I regret to say it will take us a long time to correct every mistake you've made too.

Let me try to help the minister out. Let me tell him what's really going on here. This minister and other ministers of this government are trying to do this behind closed doors because they want to be able to blame the municipalities. The reality is that people's taxes will go up because of Bill 106, the plan to reassess every property in the province. People's taxes will go up because of the downloading under Bill 152, which will dump another billion dollars on to the property tax. People's taxes will go up because of the megacity; the additional bill is \$150 million and counting. Taxes will go up because of what you're going to do under Bill 160.

The new motto of the Conservative Party is: "First you drug 'em, then you mug 'em." Admit it, Minister. Mike Harris has gone from being the Taxfighter and he is now the tax mugger.

Hon Mr Eves: We are trying to control property taxes on education in Ontario. As I alluded to earlier in my answer to a question by the leader of the official opposition, your party and theirs saw huge, dramatic increases in property taxes in the province: 82% over 10 years;

120% in terms of the revenue generated from that in 10 years. You increased taxes 32 times and they increased taxes 33 times, both in five-year periods of time. We have to stop this rampant education tax increase to the taxpayers of Ontario. They can't afford to have their taxes raised 120% when enrolment goes up 16%. We are going to ensure that does not happen, much to your displeasure.

The Speaker: New question, leader of the third party.

Mr Hampton: Again I'll say, there is no tax freeze in the bill — nowhere. All you're doing is trying to take a public, democratic process and move it behind closed doors so people can't find out.

1430

GOVERNMENT ADVERTISING

Mr Howard Hampton (Rainy River): To the Minister of Education: The Premier said something incredible today. He said the advertisements run by the Halton region in opposition to the provincial download were a waste of taxpayers' money because they're not based on any final decision.

Minister, how is that you can run all of your ads attacking teachers and parents in the province and yet the Premier calls the effort by Halton to fight back a waste of taxpayers' money? Can you explain the difference?

Hon David Johnson (Minister of Education and Training): I'm not going to explain whatever difference the member opposite perceives. I will simply say that the people of Ontario — I've been in government for many years, well over 20 years now — want to know what's going on. They want to know the programs that the government is putting forward. That's a normal state of affairs to an NDP government, a Liberal government, a Tory government, at the municipal level, at the provincial level, at the federal level. There is a need to communicate with the people of Ontario.

You may not like to hear the fact that we intend to reform the education system, that we intend to proceed with reforms to bring quality and accountability and efficiency to the system, but that's what our ads are about. People of Ontario have a right to expect that sort of communication and that's exactly what we're doing.

Mr Hampton: Perhaps I should give the Minister of Education another chance. I'm merely quoting what the Premier said. Halton region has figured out that your downloading is going to cause real problems for them in terms of property taxes, so they've taken out some advertisements to inform the public of how much the downloading is going to be and how damaging it's going to be. Your Premier comes out and says that they're a waste of taxpayers' money because they're not based on a final decision.

People across the province have been watching your attack ads, your propaganda campaign on Bill 160, which is not yet a final decision. I'm asking you, how can the Halton ads be a waste of taxpayers' money and you've spent, by our estimate, over \$4 million in this province attacking teachers, attacking parents, attacking school

boards? How is it that theirs are a waste of money and yours are somehow a good deed by the government?

Hon David Johnson: It's interesting that the leader of the third party has shown such great concern about advertising costs at this juncture in his career. In 1994-95, when he was in government, the NDP government spent over \$20 million in advertising. The agencies under the NDP government spent over \$25 million. Grand total spending: over \$45 million.

There were two years when the spending was even higher: 1992 and 1990-91, when both the Liberals and the NDP were in government together, in cahoots, over \$50 million spent on advertising.

Why do we have —

The Speaker (Hon Chris Stockwell): Thank you, Minister. Final supplementary.

Mr Hampton: I want to quote what the Conservative MPP for Grey-Owen Sound had to say about the government's attack ads, your propaganda campaign. He said: "The ads were terrible. I mean, I haven't heard anybody say that they were good. You can't go attacking our teachers."

Then he said: "We're supposed to be the government. We're supposed to solve problems, not make problems, and all I've seen are ads that just make problems for us, problems for the teachers and for everybody. I think we wouldn't have been in as big a mess as we are in if those ads had never gone on the radio or the television or in the papers."

My question for the Minister of Education is simply this: When are you going to realize that your vicious, ugly, nasty attack ads, your propaganda campaign, were beneath the dignity of an Ontario government? You are going down in infamy for attacking people across this province merely because they disagreed with you, merely because —

The Speaker: Thank you.

Hon David Johnson: There is an incorrect statement being made here. The reality is that this government values teachers very highly and is intending to be supportive of teachers. It is and will be working closely with teachers in the future. We need the teachers in terms of implementing the quality program in our classrooms. But I can tell you that over the past while, in terms of dealing with the unions, certain problems have arisen.

We have attempted to keep government advertising in general to a minimum. We have attempted to keep it simple. We have not had any flashy brochures such as this one from the Ministry of Education under the former government. Looking towards the future, there is a need to work closely with the teachers. I look forward to that day and I think together, the teachers, the principals, the government, the school boards —

The Speaker: Thank you, Minister. New question.

EDUCATION FINANCING

Mr Sean G. Conway (Renfrew North): My question is for the Minister of Education. As you will know,

Renfrew county, like Stormont, Dundas, Glengarry, Hastings, Lanark, to name but five or six of the eastern counties, is very rural, and in communities like Wilno and Westmeath, Douglas and Calabogie we have had for decades small rural schools, well established and well regarded for the quality of education they have been providing to generations of students in rural Renfrew county. My question is a simple one on behalf of the parents in communities like Westmeath and Wilno. Once Bill 160 is passed and the new funding formula is in place, will you, as Minister of Education — now possessed of major new centralized power and authority — guarantee to the parents and students in communities like Westmeath, Wilno, Douglas and Calabogie in Renfrew county that their small community rural schools will continue in existence?

Hon David Johnson (Minister of Education and Training): What I will guarantee is that there will be fair funding to each board across the province. We know that in the past on too many occasions, particularly small boards, and I suspect in eastern Ontario and perhaps in other rural parts of Ontario, have not always had access to the same amount of funding as boards in some urban areas, for example. What I promise to the member opposite is that that day is over, that each board will have access to fair and equitable funding, that the funding will be focused on the classroom and that the funding will be focused on enhancing the quality of education in the boards and the schools the member is talking about and indeed right across the province.

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Mr Conway: It's not just a concern in rural Renfrew, I say to the Minister of Education and Training, and it's not just a concern among anglophone parents, but I can assure you that francophone parents in communities like Maxville and Avonmore, in Mattawa, are going to be very interested and concerned about whether their small, rural schools, elementary and secondary, will remain open.

Let me repeat the question, accepting as I do that the honourable member and minister's intentions are good. The question is simple: Will you assure the parents in my riding in communities like Westmeath and Wilno, Douglas and Calabogie, to name but four rural communities in Renfrew county, that once this bill is passed and the regulations in place giving you very significant new powers, decades-old rural schools will continue to be open and offering quality education to those rural communities?

Hon David Johnson: Again, I will do what I can do and that is to assure those boards right across the province that the new funding formula will recognize the number of students, will recognize special considerations such as geography, special education grants, learning opportunity grants, pupil accommodation grants, that the grant system, the new funding formula, will recognize the special needs of the various boards right across Ontario. The province of Ontario will provide that money on a fair and equitable basis. The decision in terms of schools remains at the local level with the school boards but we will provide them, through the province of Ontario, with a fair and equitable

funding to give the best possible education to the students right across the province.

The Speaker (Hon Chris Stockwell): New question, leader of the third party.

Mr Howard Hampton (Rainy River): I have a question to the Minister of Education and Training. We know that the deputy minister must cut \$667 million out of elementary and secondary classrooms next year. We know that you put in the preparation time changes to take another 4,000 teachers out of the classroom. We also know that this is going to have a devastating impact on extracurricular activities in our schools.

OFSAA, the Ontario Federation of School Athletic Associations, has said the following:

"Physical education teachers within the school system have picked up the additional responsibilities, which means that, for many, their existing, limited, non-classroom instructional time is often used in the planning of school programs and covering classes for other teachers who are working with school teams."

In other words, physical education teachers spend a lot of their so-called prep time working on extracurricular activities. Minister, when you take away that prep time, what's going to happen to those extracurricular activities that are so important for our students?

Hon David Johnson: First of all, the premise of the question is completely wrong, as the member opposite knows. What will be invested in education will be determined on an annual basis through the funding formula, and there is no magic figure which will be reduced from the education system in the province of Ontario. Certainly every ministry will be looking, on behalf of the taxpayers, to run an efficient ministry to get best value.

What each board has will be, in the final analysis, a fair and equitable funding formula recognizing the needs of the students, recognizing the special needs, recognizing the geography, recognizing the number of pupils, and those boards will have the full opportunity to provide the various services that are needed in terms of their particular schools and their particular communities.

Mr Hampton: We already know that you are going to take another \$667 million out. The Premier even admitted that. He tried to spin a number of excuses over the last three weeks to explain it, but we know the \$667 million is going to come out. We also know that at least 4,000 teachers at the secondary level are going to be gone.

Now OFSAA is telling us that, as a result of the cutbacks you've already imposed over the last two years, participation in after-school extracurricular activities is already starting to drop. For the first time, in 1995-96 there were 2% fewer girls participating in interschool athletics and 3% fewer boys. The reality is, when you take more prep time out of the system, when you take more money out of the system, when you take more teachers out of the system, extracurricular activities like athletics, band, music, drama are going to be the areas that suffer.

Minister, are these things unimportant, or do you have a plan to ensure that these important parts of our school system continue to operate for our students?

Hon David Johnson: It's interesting the number of things that the leader of the third party knows which are not in fact real. For example, in the elementary and secondary school system there has never been more money spent in the system as a whole than there has been and is in 1997: \$14.4 billion revenue from all sources in all aspects of elementary and secondary. Never in the history of the province of Ontario has as much money been spent.

In terms of preparation time, we are simply asking the teachers in the province to spend the same amount of time in the classroom as teachers do in other jurisdictions. Is that unfair? In fact, our elementary teachers already spend the same amount of time in the classroom; there's no change at all at the elementary level. At the secondary level we're asking them, yes, as their colleagues in Alberta and other provinces, to spend the same amount of time in the classroom. I believe they can do that. I believe they can provide all of those services that our children need with the time they spend in the classroom and with the fair funding formula which will be coming down soon.

FARM PRACTICES PROTECTION

Mr Ted Arnott (Wellington): My question is to my friend the Minister of Agriculture. I had the honour of attending the launch of Bill 146, An Act to protect Farming and Food Production, last June at the —

Interjections.

The Speaker (Hon Chris Stockwell): Order. The member for Wellington has the right to ask the question. Member for Hamilton East, I don't want to argue with you about it. Member for Wellington.

Mr Arnott: Bill 146 is currently before the House. Last week 25 members of our caucus met with the Ontario Federation of Agriculture to discuss Bill 146 and many MPPs have been attending the OFA's annual convention this week. I'm sure that all members of the House would be interested to know that the OFA is extremely supportive of this legislation. Will the minister explain why Bill 146 is so important to our agrifood sector?

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): I want to thank my colleague from Wellington, because indeed back in June we did go to his county to make the announcement of An Act to protect Farming and Food Production. The government is delivering on its promise to support agriculture, to make sure that normal farm practices are indeed protected. The old legislation, 10 years old, was not doing that job. We have promised the agricultural producers of this province that they indeed would have protection against nuisance lawsuits.

We toured the province prior to this bill being drafted to make sure we got it right, and I would certainly hope that the opposition and the members of the third party will understand and will indeed be supportive of this legislation.

Mr Arnott: My constituents will be very reassured by that answer. But I'm disturbed that misinformation is still being spread —

Interjections.

The Speaker: Order. I'm having difficulty hearing the member for Wellington.

Mr Arnott: Misinformation is still being spread in some circles that Bill 146 might be harmful to the environment.

Interjection: That's not the only thing that's being spread.

The Speaker: It's hard to maintain order when you open your comments like that. Member for Wellington.

Mr Arnott: I didn't realize this was so provocative, Mr Speaker.

Can the minister assure the House that Bill 146 does not give farmers the right to pollute?

Hon Mr Villeneuve: It's a pretty serious subject and I'm rather disappointed that the opposition is taking it so lightly.

Interjections.

The Speaker: Order. I won't warn the member for Wentworth East again. Would you come to order.

Hon Mr Villeneuve: Maybe we should have in this bill some protection against the verbal effluent coming from over there.

I'm pleased to inform my colleagues in the Legislature that the work of Ontario farmers was recognized on Tuesday of this week as the Ontario Farm Environmental Coalition was awarded the province's top honour, the Ontario Pollution Prevention Leadership Award, at the 1997 Environment and Energy Conference of Ontario. That is something to be proud of.

Bill 146 has absolutely nothing to do with weakening environmental requirements, health and safety requirements. It's simply to protect the normal farm practices that are done throughout this province.

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EDUCATION REFORM

Mrs Lyn McLeod (Fort William): My question is for the Minister of Education. Yesterday, in response to a question from my colleague the member for Windsor-Sandwich, you indicated that you had changed the role of parent councils to be non-advisory in response to the advice of your appointed Education Improvement Commission. I know the commission has given you some bad advice in the past, like recommending that we have unqualified teachers heading up some of our classrooms, but to the best of my knowledge, they have never given any public advice on the role of school councils. I assume this was private advice, and I do not understand why you would respond to the advice of your handpicked commissioners when they go against the views expressed by every parent council representative in this province.

Why would you listen to Dave Cooke's private advice and go against the views of the parent councils themselves?

Hon David Johnson (Minister of Education and Training): First of all, this is not an accurate depiction at all of what I said or what is reality. What I said and what is the reality is that just the word "advisory" had been deleted from the bill. The EIC felt, in terms of their study, report, investigation of this whole matter, that it would allow more latitude in terms of their discussions.

The councils remain advisory. They remain under the jurisdiction of the policy memorandum, which clearly outlines that they are advisory. There is no question about that whatsoever. The EIC will be studying this matter over the next few months and will be reporting back to me. At that point in time, the ministry, the government, will have a look at the role of the councils to determine precisely what they should be, but they're clearly advisory today. There's no question about that whatsoever.

Mrs McLeod: Oh, come, come, Minister. We went through two weeks of public hearings on this bill and we went through two weeks of public hearings on Bill 104. Parent councils were absolutely clear: They want to remain advisory. Taking the word "advisory" out of your Bill 160 by amendment was clearly significant, and parent councils know that. They also know you have directed the EIC to give you advice on the role of parent councils, and you have now acknowledged that you responded to the private advice of David Cooke and Ann Vanstone. You took the word "advisory" out. If you needed more scope, it's because you're planning to do something very significant with the role of parent councils. If they weren't going to be solely advisory, you would have left the word in the bill.

We have parent councils resigning. Another parent council in Brockville resigned last night. My parent councils were prepared to resign en masse. I foolishly told them to make their concerns known to the Education Improvement Commission, not knowing they were already advising you privately to go against their views. What other advice are David Cooke and Ann Vanstone giving you? What role are you going to put on to the parent councils of this province?

Hon David Johnson: In fairness, and I'm sure the member opposite knows this, it wasn't only the EIC who suggested that this word be dropped, but the Ontario Parent Council and —

Mrs McLeod: It was your appointed parent council.

Hon David Johnson: I guess the problem is that for every example I raise of somebody who suggested that the EIC, in terms of their scope, has the ability to look at that, there is some sort of devilish plot; every group that is not in agreement with the member opposite is up to no good and is to be discounted. The problem is that's not the case. The Ontario Parent Council is a reputable group; they also supported it.

We'll have to see when the study is complete. I think the member opposite should allow the study through the EIC to take place, to make their recommendations. The government will have a look at it and then we'll determine what the longer-term role is for the councils.

Interjections.

The Speaker (Hon Chris Stockwell): Order. Okay, stop the clock.

Member for Fort York.

EDUCATION FINANCING

Mr Rosario Marchese (Fort York): My question is to my good friend the Minister of Education. I know that you know we spend \$13.8 billion on education; I know that. But I'm not sure you're aware of this: In addition to the recognized expenditure of \$11.7 billion, there's approximately \$2.1 billion in unrecognized expenditures that is funded by boards from the local tax base. That includes things like junior kindergarten, French immersion, French extended, after-4 programs, tutoring for students at risk, paraprofessionals in parts of the system all over Ontario.

They have a concern about what's going to happen to this money. I heard you repeat the word "fair" about eight times in the last few questions you've answered. Being a fair man, I'm assuming you are going to make sure that the \$2 billion that is spent by the local boards at the moment is going to go back to them. Is that the case?

Hon David Johnson (Minister of Education and Training): First of all, the number in terms of the spending for this calendar year in the education system from all sources is \$14.4 billion. That includes all the payments from the province of Ontario, that includes the payments from local school boards, and it includes some small amount of revenue from other sources.

The funding formula, as I've indicated and you've indicated, will be fair. There's some concern that certain boards have the ability to generate additional revenues; other boards are poor. The students in other boards do not have the opportunity, because they come from a poorer area. Knowing the member opposite, he would want every child in Ontario to have the same opportunity. He would not think it would be fair that because a child came from a certain part of Ontario where money was not available, that child would lose out. That is what we're trying to accomplish, that every child should have the same opportunity across the province.

Mr Marchese: I'm a bit concerned about what this minister and this government are going to do. I know the reason they are centralizing education dollars is to be able to cut them, under the guise of fairness. I tell you, the legislative grant is one way of harmonizing downward so that everybody will be equal, but they will be equal at the bottom end, for one; they will all be equally poor.

The second point I made had to do with this \$2 billion that is funded by local boards at the moment. The question I was asking you was, is that money going back, or are you chopping that money to do something else with it? I submit to you that you will be cutting more than \$670 million. This is the one big area, the \$2 billion, where you're going to find a hell of a lot more money to chop. That's what I submit to you. Deny it if you can, or at least assure the boards that spend money in useful programs

like JK, like French immersion, like paraprofessionals that the money's going back to them.

Hon David Johnson: The member opposite says he's of the opinion that the quality will come down to the lowest common denominator. The reality is today, as the EQAO has reported just two or three weeks ago, after it tested grade 3 students and grade 6 students, there is concern in the province of Ontario that our students are not having the opportunity to come up to the expected level they should. In tests across Canada — in the science test last year, for example — our students did not do well. In terms of the international tests, our students did not fare well.

The answer is that we're going to ensure that the money is in the system —

Mr Rick Bartolucci (Sudbury): Read Ireland's study.

The Speaker (Hon Chris Stockwell): Member for Sudbury, come to order, please.

Hon David Johnson: The answer is that there is no magic number to cut. There is a commitment to ensure that the funding is there, through the fair funding formula, through the budget struck each and every year, to ensure a high quality so our students can reach the expected level in Ontario and compete on a national and international basis.

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CHILD PROTECTION

Mrs Lillian Ross (Hamilton West): My question is to the Minister of Community and Social Services. Last June you announced in this House an intention to review child protection services in Ontario. I wonder if you could tell us how that review is going and what the status of it is.

Hon Janet Ecker (Minister of Community and Social Services): I would be very pleased to provide an update on the steps we announced earlier this year in terms of how to improve the child welfare system in Ontario.

First of all, the design work for the new computer database, which is the system that will help prevent children from falling through the cracks, will be completed, the design will be done, by the end of January, which is an extremely fast time frame for the production of these things, as I understand it.

Secondly, we have already begun the training that front-line workers have asked for, and that was recommended by the task force, so that they will have the support they need. That's already begun.

I announced recently the new review panel of experts who are looking at whether we need to change the legislation, how that should be done.

The review that is going on of individual child welfare agencies, a case-by-case review, will be completed by the end of this year. I'd like to congratulate the individuals who have been part of that process because they've been working very hard to try and get that data and that information we need to make further changes.

Finally, the review of the ministry will be completed by early next year, with its look at whether the ministry's procedures are appropriate.

Mrs Ross: I'm aware of the panel that's being set up and I'm really pleased to see that Dr Harriet MacMillan of McMaster University is on that panel. I'd particularly like to know what exactly is the mandate of that panel and how it will operate. I have several constituents who have asked for a way for them to provide input. Can you advise us how we could do that?

Hon Mrs Ecker: I announced the panel to a conference on child abuse at Sick Kids earlier this month and was very pleased at the support that group had for the individuals who are on this panel. Judge Mary Jane Hatton, who is the chair, has a very good track record as a provincial court judge in family law matters. We also have representatives of the Metro Toronto Police youth bureau, a high school principal, a coroner, paediatrician, child psychiatrist, as well as those involved in social work. We've got an excellent group of people.

They are asking: Is it the legislation in terms of how it's worded, or how are we applying the legislation? Is it the law or how the law is applied? What's the problem? They'll be making recommendations on that.

The other thing is that they will be consulting very widely among all the different sectors that help support the child welfare system, from health to education and the justice system. They'll be inviting written comments and submissions and will be meeting with many other individuals and experts who can provide input to us.

EDUCATION REFORM

Mr Dominic Agostino (Hamilton East): My question is to the Minister of Education. Minister, you're fond of quoting people who have supported your bill over the last few days in this House. I want to ask you about a number of prominent Ontarians, people who do not have political ties in this case, who have come out and have trashed your bill and have panned Bill 160.

It's an unprecedented step that a sitting judge in this province would come out and criticize government policy and government legislation. On Saturday at a conference, Judge Marvin Zuker, a prominent Family Court judge in this province and author of several books, said about your bill, "Bill 160 does not address the lack of classroom supplies, the increase in the number of children with learning disabilities and attention deficit disorders." He went on to say: "It offers no clear mandate to deal effectively with the education of children under the age of six." And he said, "Without these programs, we run the risk of losing control over our children." Is Judge Zuker right? Do you believe what he has to say? Will you listen to what a prominent Ontario Family Court judge has to say about your legislation?

Hon David Johnson (Minister of Education and Training): I'm delighted to listen to this particular judge, delighted to listen to all parents and people who either support or do not support Bill 160. There's a parent from

Unionville who says, "Please be advised that myself, my wife, my two sons, recent graduates of high school, cannot express strongly enough our support of Bill 160." I listen to this parent. I listen to a parent from Cameron, Ontario: "We support Bill 160 and ask that it be passed."

We all know in this House that parents have been asking for change, that the people of Ontario have been asking for change, in the education system.

The Speaker (Hon Chris Stockwell): Answer, please.

Hon David Johnson: Is any particular government able to address each and every problem at any one point in time? No, that's not possible. But I can tell you that people of Ontario are in basic support of this —

The Speaker: Thank you.

Mr Agostino: If the minister doesn't want to listen to Judge Zuker, maybe the minister will listen to Anne Jones. Anne Jones is one of Hamilton's most prominent citizens, appointed as the first regional chairman by Premier Davis, lifelong card-carrying Conservative, candidate for the Conservative Party in Ontario; Anne Jones also nominated your member from Hamilton West to carry the Conservative banner.

Anne Jones led a protest to the constituency office of the member for Hamilton West a week ago in regard to Bill 160. She said, "This bill has gone too far." She said, "I've never seen a Conservative government like this." She describes the curtailment of debate as "frightening. They can pass the bill in no time." She goes on to say, and this is Anne Jones, not opposition politics, "Bill 160 hurts children in the classroom, and that is something the Conservatives promised not to do."

The Speaker: Question, please.

Mr Agostino: Let me tell you what Anne Jones says about her nomination of the member for Hamilton West. She calls it a misfortune that she nominated the member for Hamilton West. If you won't listen to the opposition, will you listen to one of your loyal card-carrying Conservatives, Anne Jones, who —

The Speaker: Thank you.

Hon David Johnson: I have to listen, the government has to listen, and we're more than willing to listen to the comments from Anne Jones, from anybody. Certainly I respect the job Anne Jones has done in the Hamilton region. I also have to listen to the Ontario Catholic School Trustees' Association, who have indicated that to some degree the problem is that there are myths being perpetrated out there about the bill, that there are certain things the bill does that it doesn't do at all; that the bill would allow the government, at the drop of a hat, to put trustees in jail, close down schools etc, etc. It's not the reality.

I think the people of Ontario are behind the reforms that this government is initiating: the extra instructional time, the cap on the average size of the classrooms across each board. I think if you ask people such as Anne Jones, they'd say: "Yes, it's time for reform. Get on with it."

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PETITIONS

EDUCATION REFORM

Mr Michael A. Brown (Algoma-Manitoulin): I have petitions representing somewhere between 1,000 and 1,500 signatures from the Espanola-North Shore area.

"To the Legislative Assembly of Ontario:

"Whereas the Ontario government wants to take up to an additional \$1 billion out of the education system this year and every year; and

"Whereas the Ontario government would remove up to 10,000 teachers from classrooms across the province; and

"Whereas the Ontario government will have unbridled regulatory powers over public education; and

"Whereas the Ontario government wishes to remove the right to negotiate student learning conditions; and

"Whereas the Ontario government proposes to undermine shared decision-making among students, parents, educators, trustees and taxpayers;

"We, the undersigned Ontario residents, petition the Legislative Assembly of Ontario to withdraw Bill 160."

I affix my signature.

Mr Bud Wildman (Algoma): I have petitions here requesting the withdrawal of Bill 160 from residents of Elliot Lake and the North Shore, Newcastle, Peterborough, Etobicoke, Mississauga and many other communities across Ontario. I submit them. I support the petitions, and I'm signing them as well.

Mr John O'Toole (Durham East): I'm pleased to present a petition to the House this afternoon. This petition has been presented to me by a Ms Cynthia Howe, who I know is on the school community council in Bowmanville at St Joseph's school. I'm not certain if this petition is formatted correctly, but none the less, for the purpose of ensuring that the people of Ontario know that I am speaking for my residents, I will read it.

"To Mr O'Toole, our MPP and representative of the opinions of your constituents, we urge you to vote against Bill 160."

I assure you I'll continue to meet and dialogue with these constituents to help them to understand Bill 160.

EDUCATION FINANCING

Mr Rick Bartolucci (Sudbury): I have a petition here to the Legislative Assembly of Ontario. It's from people in North Bay, Colleen Parker; it's from people in Sudbury, Elliot Lake etc. It says:

"Whereas education is our future; and

"Whereas students and teachers will not allow their futures to be sacrificed for tax cuts; and

"Whereas students, parents and teachers will not allow the government to bankrupt Ontario's education system; and

"Whereas you cannot improve achievement by lowering standards; and

"Whereas students, parents and teachers want reinvestment in education rather than reductions in funding; and

"Whereas students, parents and teachers can't and won't back down;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly to withdraw Bill 160 immediately; and

"Further, be it resolved that the Legislative Assembly of Ontario instruct the Minister of Education and Training to do his homework and be a cooperative learner rather than imposing his solution which won't work for the students, parents and teachers of Ontario."

I sign this 8,000-signature petition.

ADULT EDUCATION

Ms Marilyn Churley (Riverdale): I have hundreds of names of students who go to Jones Avenue adult school in my riding. Some are letters and some are petitions. It reads:

"To the Speaker of the House:

"We are students studying English as a second language at Jones Avenue Adult New Canadian School in Toronto. We are eager to learn English to advance into the workforce as quickly as possible and to contribute meaningfully to Canadian society. We are concerned that our school will become a non-credit night school only. Many of us are parents who cannot neglect their family responsibilities to attend night classes, especially when our children come to us needing help with their English at school. Some of us have taken low-paying, part-time evening jobs to support ourselves and might not be able to find a job during the daytime. We would be saddened by the many extra months it would take us to master the English language in a night-school setting.

"We, the undersigned, implore you to keep Jones Avenue Adult New Canadian School and other adult schools open during the day. Please restore full funding for students who are 21 years of age and older. Thank you for your time and consideration."

I will affix my signature to this petition.

COURT DECISION

Mr Bob Wood (London South): I have a petition to the Legislative Assembly of Ontario.

"Whereas the courts have ruled that women have the lawful right to go topless in public; and

"Whereas the Liberal government of Canada has the power to change the Criminal Code to reinstate such public nudity as an offence;

"We, the undersigned, respectfully petition the government of Ontario to pass a bill empowering municipalities to enact bylaws governing dress code and to continue to urge the government of Canada to pass legislation to reinstate such partial nudity as an offence."

RÉFORME DU SYSTÈME D'ÉDUCATION

M. Jean-Marc Lalonde (Prescott et Russell) : J'ai une pétition à l'Assemblée législative de l'Ontario et elle nous provient des villages de St Isidore, Casselman, Bourget, Hammond, Rockland, Embrun et un peu des environs :

«Attendu que le gouvernement de l'Ontario est demeuré indifférent aux protestations du public sur le projet de loi 160 ; et

«Attendu que le gouvernement de l'Ontario a choisi de duper la population ontarienne en camouflant les objectifs réels du projet de loi 160 ; et

«Attendu que nous, les citoyens et les citoyennes de l'Ontario, croyons qu'aucun gouvernement n'a le droit d'agir contrairement aux désirs de l'électorat de cette province ; et

«Attendu que nous avons perdu confiance en ce gouvernement ;

«Nous, les soussignés électrices et électeurs de l'Ontario, demandons par cette pétition à la lieutenant-gouverneure de dissoudre la présente Législature et de déclencher une élection générale immédiatement.»

J'y ajoute ma signature.

EDUCATION REFORM

Ms Shelley Martel (Sudbury East): I have a petition which is addressed to the Legislative Assembly of Ontario that reads as follows:

"Whereas the Ontario government wants to take up to an additional billion out of the education system this year and every year; and

"Whereas the Ontario government will remove up to 10,000 teachers from classrooms across the province; and

"Whereas the Ontario government will have unbridled regulatory powers over public education; and

"Whereas the Ontario government wishes to remove the right to negotiate student learning conditions; and

"Whereas the Ontario government proposes to undermine shared decision-making among students, parents, educators, trustees and taxpayers;

"We, the undersigned Ontario residents, petition the Legislative Assembly of Ontario to withdraw Bill 160."

This is signed by 276 residents of the riding of Parry Sound. I am very pleased to present this petition on their behalf and I agree with them.

BEAR HUNTING

Mr Allan K. McLean (Simcoe East): I have a petition to the Parliament of Ontario.

"Whereas black bear populations in Ontario are healthy with between 75,000 and 100,000 animals and their numbers are stable or increasing in many areas of the province; and

"Whereas black bear hunting is enjoyed by over 20,000 hunters annually in Ontario and black bears are a well-managed renewable resource; and

"Whereas hunting regulations are based on sustained yield principles and all forms of hunting are needed to optimize the socioeconomic benefits associated with hunting; and

"Whereas the value of the spring bear hunt to tourist operators in northern Ontario is \$30 million annually, generating about 500 person-years of employment; and

"Whereas animal rights activists have launched a campaign of misinformation and emotional rhetoric to ban bear hunting and to end our hunting heritage in Ontario, ignoring the enormous impact this would have on the people of Ontario;

"We, the undersigned, petition the Parliament of Ontario as follows:

"That the Ontario government protect our hunting heritage and continue to support all current forms of black bear hunting."

EDUCATION REFORM

Mr Peter North (Elgin): I have a petition here to rescind Bill 160's proposed amendments with regard to principals and vice-principals.

"Whereas Bill 160 originally maintained principals and vice-principals would remain as members of the teachers' federations; and

"Whereas the proposed amendments were introduced after the hearings had been completed; and

"Whereas the proposed amendments will seriously destabilize the education system, causing unnecessary stress on our established school teams;

"We, the undersigned electors of Ontario, petition the Lieutenant Governor to withdraw those sections of Bill 160 which impact the current status of principals and vice-principals as members of the teachers' federations."

I have affixed my signature thereto.

Mr John Gerretsen (Kingston and The Islands): I have been handed a petition by Gayleen Garvin, who is a hardworking teacher at Frontenac Secondary School in Kingston, and it's addressed to the Lieutenant Governor of Ontario. It's a very short petition but it's very powerful just the same. It states:

"We, the undersigned concerned parents, teachers and/or citizens of the province of Ontario, wish to inform you that in the best interests of education in Ontario, Bill 160, as presently drafted, must not be passed. We hereby request that you not sign the bill, dissolve Parliament and call a general election."

I have signed it and since it is such a short petition, Mr Speaker, I wonder if you will allow me the opportunity to read a similar petition?

The Acting Speaker (Mr Bert Johnson): I will not. Further petitions. The Chair recognizes the member for Sault Ste Marie.

PAY EQUITY

Mr Tony Martin (Sault Ste Marie): The issue of the Red Cross and homemakers is still out there because the

government hasn't acted, so I have a petition with some hundreds of names of people in Sault Ste Marie and Algoma continuing to be concerned about this issue.

"Whereas the current pay equity legislation affects Red Cross differently than any other provider of homemaker services in Ontario and makes it impossible for the Canadian Red Cross Society to compete on a level playing field; and

"Whereas without a resolution, the Canadian Red Cross Society will be forced to increase wages and benefits, already the highest in the industry, by approximately 45% January 1998. The program cannot afford this increase;

"Whereas Red Cross provides 80% of the service in rural communities, and in 29 communities Red Cross is the only service provider; and

"Whereas clients in many communities will be left to cope on their own and some 6,000 homemakers and 400 office staff, most of them women, will lose their jobs;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We are concerned about the Red Cross pay equity issue. We are asking the three party leaders to put people before politics and come together in a non-partisan effort to resolve the homemakers' services pay equity problem."

Certainly our party is wanting to contribute to that discussion.

1520

EDUCATION REFORM

Mr Tom Froese (St Catharines-Brock): I have several petitions that were presented to me at a meeting I held at the Virgil public school regarding Bill 160. Although this is not in a format that's acceptable to the Legislature, I promised them that I would present it. The petition deals with wanting to defer Bill 160 and split it, the amalgamation of schools, and to explore and debate more the contentious items.

EDUCATION FINANCING

Mr Mario Sergio (Yorkview): I have a further petition from residents of my constituency addressed to the Legislative Assembly of Ontario.

"Whereas education is our future; and

"Whereas students and teachers will not allow their futures to be sacrificed for tax cuts; and

"Whereas students, parents and teachers will not allow the government to bankrupt Ontario's education system; and

"Whereas you cannot improve achievement by lowering standards; and

"Whereas students, parents, teachers want reinvestment in education rather than a reduction in funding; and

"Whereas students, parents and teachers won't back down; and

"Whereas Ontario Liberal leader Dalton McGuinty has pledged to repeal Bill 160;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly to withdraw Bill 160 immediately; and

"Further, be it resolved that the Legislative Assembly of Ontario instruct the Minister of Education and Training to do his homework and be a cooperative learner rather than imposing his solution which won't work for the students, parents and teachers of Ontario."

I concur and I will affix my signature to it.

BEAR HUNTING

Mr Wayne Lessard (Windsor-Riverside): I have a petition from several members of the Beaver Lake Hunt Club in Windsor. It says:

"Whereas black bear populations in Ontario are healthy with between 75,000 and 100,000 animals and their numbers are stable or increasing in many areas of the province; and

"Whereas black bear hunting is enjoyed by over 20,000 hunters annually in Ontario and black bears are a well-managed renewable resource; and

"Whereas hunting regulations are based on sustained yield principles and all forms of hunting are needed to optimize the socioeconomic benefits associated with hunting; and

"Whereas the value of the spring bear hunt to tourist operators in northern Ontario is \$30 million annually, generating about 500 person-years of employment; and

"Whereas animal rights activists have launched a campaign of misinformation and emotional rhetoric to ban bear hunting and to end our hunting heritage in Ontario, ignoring the enormous impact this would have on the people of Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario government protect our hunting heritage and continue to support all current forms of black bear hunting."

HOSPITAL RESTRUCTURING

Mr Ron Johnson (Brantford): I have a petition here from hundreds of people in my riding.

"To the Legislative Assembly of Ontario:

"We, the undersigned, strongly feel that there should be no further cutbacks to the health care system in Brantford and Brant county. St Joseph's Hospital should remain, continuing to give the services and care it is known for. Combining this facility with the already overcrowded Brantford General Hospital would lower the standard of health care in this region. This is unacceptable."

I affix my signature.

The Acting Speaker (Mr Bert Johnson): The time for petitions has expired. Orders of the day.

ORDERS OF THE DAY

PETITIONS

The Acting Speaker (Mr Bert Johnson): The Chair recognizes the member for Kingston and The Islands on a point of order.

Mr John Gerretsen (Kingston and The Islands): Mr Speaker, I have a point of order to raise with you with respect to something that just happened in this House. As you know, we all live and abide by the rules, the standing orders that have been passed as far as the procedure at the Legislative Assembly is concerned. We just heard a member about five minutes ago state that he knew that a subject he was about to raise during the time set aside for petitions was not a petition. I know we sometimes have difficulty in knowing whether or not a petition is in proper form, but if a member actually gets up and knows that what he's reading is not a petition, I would like your ruling on whether during that period of time that is set aside for petitions in effect he can raise that particular matter. I would like your ruling on that, Mr Speaker.

The Acting Speaker: I'd like to address that point of order, and it is a point of order. I listened carefully to the member who was presenting it. I felt that the petition had been given to him in good faith and he showed good faith in presenting it here, even though it didn't meet the technical criteria. That would be determined at the table in most cases. But if I have to check each petition before it is presented, I'm sure you wouldn't want that either, so I did give him some latitude that I might not do another time.

Mr Gerretsen: If I could just address that ruling —

The Acting Speaker: No, I'm sorry, you can't. We're into orders of the day.

Mr Gerretsen: Your ruling was excellent until you got to the last point.

The Acting Speaker: I consider that the matter has been dealt with. You had a point of order. I recognized it, I dealt with it, and now I'd like to get on with the other business of the House.

SOCIAL ASSISTANCE
REFORM ACT, 1997LOI DE 1997 SUR LA RÉFORME
DE L'AIDE SOCIALE

Mrs Ecker moved third reading of the following bill:

Bill 142, An Act to revise the law related to Social Assistance by enacting the Ontario Works Act and the Ontario Disability Support Program Act, by repealing the Family Benefits Act, the Vocational Rehabilitation Services Act and the General Welfare Assistance Act and by amending several other Statutes / *Projet de loi 142, Loi révisant la loi relative à l'aide sociale en édictant la Loi sur le programme Ontario au travail et la Loi sur le Programme ontarien de soutien aux personnes handicapées, en abrogeant la Loi sur les prestations familiales, la Loi sur les services de réadaptation professionnelle et la Loi*

sur l'aide sociale générale et en modifiant plusieurs autres lois.

Mr Bud Wildman (Algoma): On a point of order, Mr Speaker: I rise to ask for unanimous consent from the three parties to split the time among the three parties between now and 6.

The Acting Speaker (Mr Bert Johnson): The member for Algoma has requested unanimous consent to split the time equally. Agreed? It is agreed.

1530

Hon Janet Ecker (Minister of Community and Social Services): I'm pleased to make the closing comments on third reading of Bill 142, the Social Assistance Reform Act. This bill creates two new legislative frameworks, the Ontario Disability Support Act and the Ontario Works Act, and by doing this it meets two key commitments that we made in the Common Sense Revolution. First, we decided to put in place a new income support program for people with disabilities that would be separate from the welfare system. Second, we concluded that it was necessary to bring fundamental reform to Ontario's welfare system.

The bill has undergone vigorous debate and extensive consultation. We have also made a number of important amendments based on the advice we received during the public hearings. As a result, I believe we now have the legislative foundation for a new approach to social assistance in Ontario that fulfils the government's objectives. I will be outlining some of them and we will be splitting the time among four speakers to go through the points in the legislation.

The government's objectives that we have in this legislation are, first, to meet the unique needs of people with disabilities through improved income and employment supports; second, to make self-sufficiency the overriding goal of social assistance by helping people on welfare to get back to work; third, to fight welfare fraud which stigmatizes recipients who are struggling to get off welfare and also destroys the credibility of the system among taxpayers.

In developing this legislation, we have been guided by three key principles: fairness, accountability and effectiveness.

To put it simply and directly, the social programs must be fair to both those who need them and to the taxpayers who pay for them. A key element of this fairness is the prevention of welfare fraud and abuse to ensure that benefits are received only by those who are in need.

Accountability requires the reciprocal exercise of responsibilities. Welfare recipients are accountable for taking advantage of opportunities to become self-sufficient and self-reliant. Equally, government is accountable to taxpayers and to those who need help to provide programs that will achieve that goal. Government also carries the responsibility for establishing the conditions for investment, growth and job creation in a healthy economy which will also help to make this happen.

Effectiveness quite simply means programs that work, programs that will do what they're intended to do, prog-

rams that will create real results. For people with disabilities, this means there will be real supports both for their independence and for employment. For people on welfare, it means practical help in finding the shortest route to a paid job.

With the passage of Bill 142, these principles as I've described them, will now form the foundation of Ontario's key social programs.

First, this legislation, as I mentioned, creates the Ontario disability support plan. It's a new and separate program to meet the needs of people with disabilities. The program is a direct result of the consultations this government undertook over the last year prior to drafting the legislation.

People with disabilities and their organizations had asked that their needs be met through a new program that was separate from the welfare system. They asked for recognition of their special challenges through a program that would have more personal control, more choice and more flexibility. They proposed that we end the current outdated approach to assessing disability and they told us they wanted clear eligibility criteria that would be sensitive to how a disability restricts their activities at home, in the community or in the workplace.

The program will meet all of these requirements and more. It will establish clear and understandable eligibility provisions that will have the flexibility to accommodate unique and changing circumstances and it will focus on an individual's abilities, not simply their disabilities.

The program recognizes that many people with disabilities may require income support for all of their lives and so we have made the rules more generous governing assets and things of that kind to recognize that very real reality for them. The program also recognizes that many people with disabilities are quite capable of deciding what they need without counselling so we are removing the requirements that demand mandatory counselling for them. For those whose conditions are not likely to change, repeated and unnecessary reassessments will not be required.

For many people with certain mental illnesses or terminal conditions such as AIDS or cancer, their disability may vary from time to time. They be fine at one time and not at another. The new program will recognize that cyclical nature of their particular condition so that these individuals can continue to get the financial support that they need.

Perhaps more important, the new program recognizes that people with disabilities want to work and they can work, so the program needs to provide and will provide them with a wide range of practical employment supports that will help them achieve those goals.

Sometimes a person with disabilities will find employment, but the job may not work out, especially if they are trying to re-establish themselves in the workforce. When that occurs in future, benefits will be rapidly reinstated as a result of this legislation. The current requirement that says they have to reapply and wait will end, and this will mark a significant improvement for those individuals

attempting to enter the workforce again or for the first time.

The Ontario disability support program therefore is recognizing the unique needs of people with disabilities so it can support both independence and employment. It's based on choice and flexibility, and it will translate the principles of fairness, accountability and effectiveness into reality for people in Ontario with disabilities.

The other piece of the legislation deals with welfare reform. Both Ontarians and governments before us have long known that the welfare system wasn't working, and we have met that challenge head on. We started by reducing rates to a level that is 12% above the average of the other nine provinces. We tightened eligibility rules. We set up a fraud hotline that, for a mere investment of \$170,000, has saved Ontario taxpayers almost \$15 million. Now, through this legislation, our Ontario Works program, our mandatory work-for-welfare program, we will be proposing through this, fundamental changes to the overall system.

At the heart of our reforms is a very simple and compelling reality: that people are better off working than on welfare. When you start with that premise, the pieces and the elements of the reform of a more effective system fall into place. Instead of just handing out cheques, the focus is to get people back to work. Instead of trapping people in dependency, the objective is to encourage self-sufficiency. Ontario Works achieves these objectives by linking employment services to basic financial assistance and by making participation in these services mandatory. The purpose, quite simply, is to create the shortest route to a paying job.

The key to the program is the requirement that people on welfare actively participate in the supports that will speed their progress to employment. These include employment supports such as job search, referral to basic education, specific skills training; it includes employment placement and community participation.

Community participation has certainly generated some controversy. I would like to share the story of one particular woman we met in southwestern Ontario. She took the initiative to find her own community placement. When she went to the agency and said, "I'd like to come as part of Ontario Works," they said: "No, no, we can't deal with you. That's too politically controversial. So you pretend that you're not on Ontario Works and you can volunteer, you can participate here." She said, "Will you pay for my transportation costs?" and the agency said, "No, we couldn't possibly do that." She said, "Well, under Ontario Works I can get those costs paid for and I can take advantage of that opportunity." That's the kind of attitude we have to change so they know that they are having opportunities and can provide opportunities for people on welfare who want to get into paid jobs.

The evidence to date shows that our reforms are working. Over 75,000 people have already participated in one or more of the mandatory components in the program; 55 communities, all our major communities in this province, are now delivering Ontario Works. Since we

were elected in June 1995, almost 244,000 people have stopped relying on social assistance, an unprecedented decline of over 18%.

1540

A key objective of our legislation will be to strengthen our government's ability to fight fraud, so the bill provides for the use of biometric information that improves the system's ability to verify identity, so that basically we know that you are who you say you are.

I want to stress again that the finger-scanning technology is not fingerprinting; there's a big difference. The main purpose of finger scanning is to create a unique identification number that is reproduced only when the same individual is scanned again.

The information that we gain through this technology, as well as the privacy of welfare recipients, will be protected by this statute. We've worked closely with the privacy commissioner to ensure that.

Finally, members will be aware that an important feature of this legislation is consolidating the delivery of Ontario Works, because currently both the province and the municipalities deliver welfare programs. This is complex, it's wasteful, this division between short-term and long-term assistance is cumbersome, and it's far past time it was changed. Unifying delivery at the municipal level will bring programs and services closer to the people they are intended to serve, as well as making the system much more cost-effective.

I'd like to comment very briefly on the amendments we introduced during the legislative process as a direct result of the advice we received during the public hearings.

First, we've clarified the wording of the definition of "people with disabilities," because concerns were raised that the new eligibility criteria might require proof of substantial restriction in all areas of daily life — at home, in the community and in the workplace. What this amendment does is clarify our intent that eligibility for support requires substantial restriction in only one area of daily living. In other words, people will be eligible for support if they are limited in their activities at home or in the community or in the workplace.

The second amendment specifies that liens will not be placed on the principal residences of people with disabilities. This was certainly never the intent behind the legislation, but we wanted to make it very explicit.

Third, we've clarified the eligibility criteria for those who only have alcohol and drug dependencies. To be clear, while they will not be eligible for the disability support program, they will continue to qualify for social assistance.

The fourth amendment provides people over 18 who are receiving welfare with the right to appeal the appointment of a trustee to manage their allowance.

Fifth, we've clarified the legislation to provide that social assistance is not a loan against future earnings.

Sixth, we made a number of amendments respecting the use of biometric information, again to ensure the privacy protection of clients and to make sure that the information could only be used appropriately.

The government believes the time for talking about reforming the system in Ontario is long past. It's time for action, and it's the kind of action that's represented in this legislation. The changes that will result from this bill are fundamental and far-reaching, but so are the benefits.

The Ontario disability support program will create a new standard for creativity and sensitivity and recognizing the unique needs of people with disabilities. Ontario Works will offer a real alternative to the passive welfare programs of the past that gave people a cheque and little else. It will provide welfare recipients with the tools to end the dependency that too often traps them and their families. Together, the disability support program and Ontario Works are going to restore the faith of taxpayers and recipients alike that Ontario's vital social programs are fair, accountable and effective, and that they work in the interests of all Ontarians.

The reforms we are making to both of these programs are based on three important points. The first is that there's no humanity in warehousing people in the name of social assistance on a program that's not working. Second, there's no compassion in fostering dependence instead of building self-respect and self-reliance, and giving them the tools they need to get on with their lives. Finally, there's no fairness in wasting human potential by not acting to fix a system we know is not working.

These are the objectives that will be met by this legislation. For this reason, I ask for your support and the approval of the members in this chamber of Bill 142 at third reading.

Mr Jack Carroll (Chatham-Kent): I'm pleased for the opportunity today to rise in support of Bill 142 at third reading. As members are aware, this bill provides the legislative authority for two new programs: The Ontario disability support plan and Ontario Works. I'll be addressing the first of these, the ODSP.

For many years in our province, in fact since 1960, people with disabilities have been served by two programs: the Family Benefits Act and the vocational rehabilitation of disabled persons act. In their day, these two programs did their best to support people with disabilities. Times change and needs change. Often when you look at programs that have been around for a long time, you find out they just haven't kept up. Ontario currently provides the highest level of disability support among the provinces, and we can sure be proud of that, but these programs are simply not sensitive to today's needs.

When we were putting together the details of the Common Sense Revolution, we talked to many individuals and groups throughout the province. When we consulted with persons with disabilities, the message came through loud and clear: They told us they needed their own program. They told us it was not good enough to be part of a category of welfare, particularly when it labelled some of them as permanently unemployable. They reminded us that they had unique, complex and changing needs, and that these needs could only be met through a distinctive program that was sensitive to them.

That's how the CSR commitment for a separate program for people with disabilities came about. That's why I'm so pleased to be speaking today on third reading of this legislation. The passage of Bill 142 will mean another promise kept. The Ontario disability support plan will bring real and positive improvements to the lives of thousands of Ontario residents.

ODSP has three related objectives: to provide clear and understandable eligibility criteria for income support; to ensure greater opportunities for independence; and to deliver practical supports for employment that produce real and measurable results.

Meeting these objectives caused us to focus first on the nature of disability in Ontario today. I'd like to speak briefly about what we learned during our consultations with persons with disabilities while we were preparing for this legislation.

The key message was about the diversity of their needs. Disabilities come in many different forms. They have different impacts. Some disabilities are stable and lifelong, some are progressive, while others are intermittent. Some disabilities create permanent restrictions in daily living, while in some cases the impairment may fluctuate. Some disabilities make employment impossible, but we also know that many people with disabilities can be entirely self-sufficient with the right supports.

Given this diversity of needs, people with disabilities told us simply and directly that we had to start with completely new disability criteria, so that is what we've done. The new eligibility criteria focus on substantial mental or physical impairments that are continuous or recurrent and are expected to last a year or more. The new criteria also recognize that the disability may substantially restrict the activities of daily living in one or more of three areas: personal care, functioning in the community or functioning in the workplace.

During the hearings on Bill 142 some people were concerned that eligibility might require substantial restrictions in all three areas. That was never our intent and, as the minister stated, an amendment has made that clear.

1550

Another key feature of the new program involves the question of how disabilities are assessed. In the current program, some people with disabilities face periodic reassessment even though their condition is obviously stable and permanent. That practice is both wasteful and demeaning and it will end under this new legislation. Only those people whose conditions can be reasonably expected to improve will be subject to reassessment.

Addressing the objective of support for independence forced us to address the question of flexibility. Again the new approach in this legislation is a direct result of this government's consultation with the disabled community.

At present, families are actually discouraged from contributing to the wellbeing and comfort of their adult children with disabilities. This doesn't make any sense. In future, there will be much more reasonable and generous

rules governing assets and financial contributions made by the families of people with disabilities.

Allowable cashable assets will be increased. The current limit on retaining compensation awards for injuries or for pain and suffering resulting from crime or abuse will also increase. The program will permit loans against life insurance policies to assist with the cost of such serious illnesses as AIDS and cancer.

The rules on inheritances and trusts will also be relaxed to enable families to contribute to a more secure and comfortable future for their adult children.

There is also an important change concerning the 25% copayment for ODSP clients using the Ministry of Health's assistive devices program. Many groups in the hearings — the CNIB, the Independent Living Centre of London and area, and the Niagara Mental Health Survivors Network, to name just a few — called for the copayment and the assistive devices program to be abolished. Again we have listened and we have acted.

The third objective of the new program is to support employment. I would like to take a few minutes to describe how this is achieved. The first step was to give the new program a clear focus on abilities rather than disabilities. This meant recognizing that many people with disabilities can work, want to work and in fact do work. The challenges they face, however, often require a wider and more flexible range of supports than the current program provides.

Therefore, the second step was to decide that ODSP supports to employment needed to be a separate and distinct program and it would need to focus solely on the needs of persons with disabilities who want to prepare for employment, find work and keep a job.

ODSP will therefore deliver a broad variety of employment supports including employment planning assistance and skills development; technological aids and devices to modify the workplace or enhance the skills of the employee; initial and ongoing job supports to assist the employer, the new employee and fellow workers. These supports will provide people with disabilities much more control over the help they need to overcome barriers to seeking, obtaining and keeping employment.

The decision to replace the Vocational Rehabilitation Services Act is another example of how we have valued the judgement of people with disabilities. We agreed with them that this program was outdated, that its weaknesses were so widespread and entrenched that it had to be replaced.

Concerns were expressed during the public hearings that this change would hurt students with disabilities. Actually, I am pleased to confirm that the opposite is true. Money currently spent by MCSS on post-secondary education of people with disabilities is being fully transferred to the Ministry of Education and Training to cover the cost of disability related post-secondary expenditures. In addition, the money now in training allowances will be reinvested in employment supports. As a result, spending on employment supports will almost double from

roughly \$18 million today to almost \$35 million when the program is completely in place.

The members of this government are very proud of this legislation. The reason is that while it is easy to criticize and find fault, particularly when we are dealing with a program that has been in place for more than 30 years, it is a far greater challenge to move beyond what is to create a new vision of what might be. That is what the Ontario disability support program aims to achieve. It recognizes unique needs. It will support independence and it will deliver enhanced employment opportunities. It rebalances the shared responsibilities of governments, communities, families and individuals. The new definition of disability contained in this legislation is the key to fairer assistance and support for persons with disabilities.

When I spoke at the start of second reading on this bill in August, I talked about the yardsticks we have attempted to apply to public policies and programs in implementing the Common Sense Revolution. These yardsticks can be reduced to a few simple question: Is the program fair to the people it is designed to serve? Is it fair to the taxpayers? Is there accountability? Are there consistent standards balanced by flexibility? Will it deliver productive results?

After the many hours of debate on this legislation, after the extensive consultations that both preceded its drafting and accompanied the committee hearings, after the amendments that have responded sensitively to questions and concerns, I believe the answer to all these questions is a resounding yes. I am therefore honoured to support and recommend to all the members of the House the third reading of Bill 142.

The Acting Speaker: Further debate? The Chair recognizes the member for York-Mackenzie.

Mr James J. Bradley (St Catharines): Another progressive.

Mr Frank Klees (York-Mackenzie): Thank you, Mr Speaker, and thank you to the member for St Catharines.

I am pleased to rise to participate in the debate on third reading of Bill 142. This legislation establishes a framework, as the minister and my colleague from Chatham-Kent have already indicated, that effectively addresses the reform of social services in this province, a task that has not been undertaken in some 30 years.

I will be focusing my comments specifically to the Ontario Works component of this legislation. Ontario Works is effectively the centrepiece of this proposed piece of legislation. Our government has undertaken this reform specifically for the following reasons:

First, when this government took office in 1995 it was clear to us at the time and clear to the public that welfare in Ontario simply was not working. It had lost its grounding and the very values that had formed the basis of our province and in fact of our communities throughout this province.

Through an overemphasis on rights, it had lost its connection to responsibilities. It had lost the confidence of the taxpayers and in fact it was not working for welfare recipients in this province.

Second, the system was focusing on providing passive assistance instead of active supports to help people move back into the workforce. Its basic principle had evolved to the issue of simply qualifying people and issuing cheques instead of moving people through to employment.

The third reason was that the welfare system had stopped being a program of last resort. In fact, for some in this province it had effectively become a way of life to which they had resigned themselves.

None of these problems, however, had developed overnight. They had been coming for years. In conversation with Mr Rick Tobias, who is the executive director of Yonge Street Mission, it was interesting to note his words when he said, "It's taken a number of governments to get my neighbourhood into the mess that it's in."

I think that is a telling story, a telling tale of how governments over the last number of years have effectively deferred their stewardship and responsibilities to simply the easy the thing to do, and that is to issue people cheques. We've taken on the responsibility of reforming a system that no longer works for recipients nor for taxpayers.

By mid-1995, 12% of Ontarians were on social assistance; 1.3 million citizens in this province were trapped in a way of life that offered no hope, no way out. Annual welfare costs had skyrocketed from \$1.3 billion in 1985 to \$6.7 billion in 1995. In just one decade this province had spent in excess of \$40 billion on social assistance.

1600

The folly had to stop, so this government took action. We started with the essentials of a healthy economy. We realized that it was important to establish a strong foundation for people in this province to be able to become self-sustaining. We reduced the deficit to make room for the private sector to invest and to create jobs. We've heard from many sources that the real answer is jobs for people in Ontario. We agree with that, so we've taken some very specific steps in this province to ensure that the environment was there for real jobs to be created.

Then we took a two-stage approach to welfare reform. First, we took steps to begin the task of returning sanity to a system gone awry. We reduced welfare rates to a level that is still 12% above the average of other provinces. We established the most generous earn-back provision of any province in the country to allow recipients to earn, through work, the difference between the reduced rates and the previous rates without penalty. We tightened the criteria for eligibility. Last, we wanted to protect the system for those who truly need it, so we took action against abuse by establishing a welfare fraud hotline that quite frankly has saved the taxpayers of this province millions of dollars and is helping us to redirect those dollars to those who truly need support.

The second stage of welfare reform began in June 1996 when we began the implementation of Ontario Works, our welfare-to-work program. Bill 142 completes the reform process by helping to expand that program throughout the rest of Ontario.

The objective of Ontario Works is clear and straightforward: to make individual responsibility and self-sufficiency the central objectives of our welfare system. It is based on the simple premise that welfare is not a way of life; it must be a way back to work. Ontario Works refocuses welfare as a labour market support that helps people qualify for and find employment, to contribute to their communities and to become self-sufficient. I'd like to take a few minutes to describe how it works.

Under Ontario Works, municipalities are responsible for providing a range of supports to welfare recipients. Welfare recipients are expected to meet a number of requirements to maintain their eligibility for financial assistance.

First, they're required to take part in employment measures such as job searches, job placements and community placements. They're required to accept job offers when those job offers are brought forward. Before their children are in school, participation in Ontario Works for employable, sole-support parents will be voluntary. Once those children are of school age, we expect that their participation in Ontario Works will also be mandatory.

I can tell you that this is welcome. This is not something that is being perceived as an imposition on people. People on social assistance who are employable want to work and they want to participate in this very meaningful program. If recipients do not comply with these expectations, they may well be refused financial assistance for a period of time.

These requirements are controversial to some, and I'd like to address these issues frankly and directly. We've heard some criticisms, that this approach victimizes and punishes the poor; that community participation forces welfare recipients to work for nothing and against their will; that Ontario Works won't address the needs or barriers that cause people to be on welfare in the first place. These are serious charges, and I would like to address them specifically.

Let's take a look at the first charge, victimizing and punishing the poor. If you really want to hurt the poor, I suggest, the best thing you can do is to deprive them of an opportunity, deprive them of the tools that will help them overcome the barriers to self-sufficiency that they face in their lives. That's where we were until very recently. We have long since established that benign neglect does not work for people on social assistance in this province. It doesn't produce change, it doesn't offer real help, and that's exactly the situation that Ontario Works is designed to fix.

For the first time in years, the welfare system in this province will help people where they are, will help people address the barriers they're facing in their lives and will give them a hand up to help them find the work that we know they want to do. That is what our community and society expect citizens to do. People are expected to do their part. It is social responsibility to do our part to help people who cannot help themselves. When we marry those two responsibilities, social responsibility on the one hand,

personal responsibility on the other, that is how we together will develop a strong community.

What about the second allegation, that Ontario Works is coercive? One of the core values on which Canadian society was built is voluntarism. We all know that volunteers in our communities are not many. There is so much more work to do than there are volunteers to do it.

I've had many occasions when people have come into my constituency office and said: "I would like to get involved. How can I?" Ontario Works allows people a structured way to become involved in their community as volunteers. Ontario Works simply takes the obligation that many citizens already recognize to contribute to their communities and makes it a part of the Ontario Works program and of our welfare system. Community participation restores mutual responsibility to welfare.

How does community participation achieve that objective? First, it helps people acquire new skills and confidence. Many people on social assistance need that opportunity to get involved in their community, to help hone some of their skills and to establish some self-confidence. Second, it establishes connections with the community by giving welfare recipients new contacts and new opportunities to gain employment. Third, community participation enables people to make a contribution to their communities, restoring a sense of accomplishment and pride.

Is community participation just another name for make-work? Many welfare recipients have valuable skills, and they have experiences that can benefit their communities. We are unleashing for them an opportunity to use those skills and to take on those responsibilities.

Some of the examples of community participation opportunities already developed and being implemented around the province are as follows: assisting the elderly at mealtimes with recreation; working as a library resource assistant; helping a child with special needs in child care centres; organization of museum archives; computer software installation; setting up a forest management inventory database for a conservation authority.

These are just a few examples of how people on welfare, by participating in Ontario Works across this province, have found meaningful ways to participate and to contribute to their communities. Opportunities in this regard have been created in some 55 communities already where Ontario Works has been implemented. The possibilities offered by community involvement are limited only by our own imaginations.

1610

The third complaint is that Ontario Works will not provide real help to people on welfare. The critics may take this view. I can tell you from practical experience that is not the case in Ontario. I've had the opportunity to travel the province, to meet not only with front-line workers but also to meet with people who have been participating as welfare recipients in Ontario Works. They welcome the opportunity. Many have seen their community participation projects actually lead to full-time employment. That, at the end of the day, is the objective of

Ontario Works. It is working and it will continue to work for people in this province.

We have, through the employment support component of this program, been able to bring alongside individuals on welfare support such as child care, such as work clothing, all of those components that the minister referred to earlier that enable people to overcome some of the barriers that they're facing in their lives.

Ontario Works in its final phase involves a program entitled employment placement. For those people who are now employment ready, who have had the opportunity to upgrade their skills, through employment placement opportunities they will be able to find full-time employment. My time is up. I have so much more to say, but I will leave the rest to my colleague from Hamilton West.

Mrs Lillian Ross (Hamilton West): I'm very pleased to rise today in support of Bill 142. I want particularly to address the Ontarians with disabilities support program. The existing regulations governing social assistance for disabled individuals were drafted many years ago at a time when the impersonal face of government was seen by many as a cure-all for the problems of people. Time and experience have shown us that this has not worked as effectively as it might. The vital lesson we, as a society, have learned is one of the value of each individual human life, not based on some government formula, but growing out of the innate worth of each and every individual. The maintenance of this personal dignity as it exists under the auspices of government is a duty of any responsible government. I am greatly encouraged by the way in which the legislation before us does just that.

Individuals in my community have told me about the gaps in the existing legislation, the reality of never knowing if benefits were sustainable if attempts to find employment failed or did not work out properly. This bill is the very thing that these people are looking for. It gives those individuals an assurance that their benefits will be protected even if their job attempts fail or if a pre-existing condition reoccurs that removes them from the workforce.

The strict categories of the existing law labelled people permanently unemployable. While the intent of this was originally good, the results were discouraging to those affected. This legislation recognizes that people can work and want to work. It comes face to face with the reality that there is not simply one category of disability. Some are temporary, some are ongoing, some are continuous, while others limit a person's ability to work only occasionally. As someone who has worked with and employed people with a range of disabilities, I can say with confidence that this act meets people where their need is greatest in a way that respects the individual situation.

Our government has always believed that the solution to any challenge is most effectively met at the personal level, not by an out-of-reach bureaucracy or a one-size-fits-all model. The Ontario disability support program is about respect — respecting diversity, respecting the desire of people to work and respecting the integrity of individuals when it comes to government involvement in their lives. I know members from all sides of this House

have spoken honestly about their belief in these fundamental principals of life in Ontario. I encourage them to join me in taking a step forward for individuals with disabilities by passing this act for the assistance of our fellow Ontarians.

Just before I close I want to read a couple of supportive comments from people in my community, in particular, the Hamilton-Wentworth regional community services: "The province should be commended for recognizing that in some situations the circumstance of being disabled may fluctuate or be cyclical in nature. The provision in the legislation for rapid reinstatement of benefits will greatly assist individuals in these types of positions."

I have a further quote from the Hamilton advisory committee members who said, "The advisory committee members wish to commend the provincial government for recognizing the need for independence and employment opportunities for people with disabilities."

My time has run out, but I'm very supportive of Bill 142 and I urge everyone to vote for it.

Mrs Sandra Pupatello (Windsor-Sandwich): I'm very happy to speak on behalf of the Ontario Liberal Party in opposition to Bill 142. I would like to start by simply saying that when the government, as is a pattern now, has brought in legislation, they have failed to understand that when they make such sweeping reforms, it encompasses everybody. They have failed to look at how it impacts everybody who is currently on the system.

I'd like to begin with a submission made to us during our travels from the Peterborough Community Legal Centre. This is a statement by Richard Pade. He said:

"I am 62 years old. I live alone in a small house near the village of Indian River.

"I was born in a part of Germany that is now part of Poland. I had five brothers and one sister. My mother died in 1940 in childbirth. My father was taken by the Russians in 1945 when I was nine years old. He never came back.

"I only went to grade 8 and then trained as a baker. I developed TB and could no longer learn the trade of baker.

"When I was 19 I emigrated with my brothers, sister and stepmother to Canada. I spoke no English and so I went to school to learn some basic English speaking, reading and writing. My English is still not very good.

"My four brothers and one sister got good jobs at General Motors. I applied for jobs with GM and Ford but wasn't hired. I think this was because I am blind in one eye.

"The only work I could get was seasonal construction jobs. I did this kind of work until 1991, when I was 56 years old. At that time I couldn't find any more jobs. I used up all my savings and had to apply for welfare....

"Now I have been told that my provincial benefits will be cut off in January 1998 and that I will have to go back on welfare. How can they do that?... This will be a disaster for me. I cannot survive on welfare and I cannot get a job. I am depressed and very anxious and scared. I was hoping to survive till I am 65 when I will get CPP and old age security.

"I thought this government had promised that seniors, like me, wouldn't have their benefits cut!"

This is a very real story. People in this House should know that individuals like Richard Pade are going to be significantly impacted when Bill 142 becomes law.

What is workfare exactly? Workfare, frankly, has been a big story that has been put out by this government as though they are making some wide-reaching changes to the implications of receiving social assistance. In fact, in section 7 of schedule A of the bill, "A recipient and any prescribed dependants may be required as a condition of eligibility for basic financial assistance" to do one of four things: (a), (b), (c) or (d). The only new addition to this list is, "(d) accept and maintain employment."

What is baffling for those of us who have been working with individuals on the front line delivering the service — they will tell us they're surprised when the minister continues to stand up and acknowledge the thousands upon thousands of people who are now successful in the workfare program. The lion's share of those people are in fact in (a), (b) and (c), and very few people are actually entering through section (d), which is the only new section applied under these four areas of qualifications in order to receive assistance. Is this new? Only one of four parts in fact is new.

Does it appease individuals out there who believe there are things wrong with the system? Absolutely. Do the people who work in the system agree that things can be improved? Absolutely. All of the people who spoke on the government's behalf today so far have been very offensive to people who work in the system today.

Communities like mine in Windsor, a very progressive city in how it has always dealt with individuals receiving assistance, have always gone out of their way not just to hand over a cheque but to ensure that people move through the system. In fact, all of the municipalities we spoke to through our hearing process told us the same thing. Everything that this government has just said in fact could not be borne out by fact when we went out on the road during public hearings.

The pattern now becomes clear. Now that so many of the public are aware of the pattern of this government through Bill 160 and what it is doing to education, the pattern becomes clear: Invent a crisis, find a scapegoat, vilify or publicly denounce that scapegoat, introduce sweeping reform and hope that the public doesn't have the time or wherewithal to become familiar with the minutiae or detail of the bill. That is clear here with Bill 142.

There was an editorial written, I thought very thoughtfully, in the *Toronto Star* on October 20: "Amend Mean-Spirited Welfare Reform Bill." To the editorial writer of the *Toronto Star*, I would like to be sure that you're aware that in fact they have not done any of the recommendations in that editorial that you wrote, which says: "Bill 142 goes far beyond the mandate the Tories won in the 1995 election to implement workfare, forcing welfare recipients to work for their benefits. Many part of the bill will be repugnant even to those who firmly supported the government's initial pledge to overhaul the existing

system. But if the government is serious in its rhetoric of offering the poor a hand up instead of a handout, it must change the worst parts of the bill," and then it goes on to list several of those provisions. May I say then to the writer here that the government has not amended the mean-spirited welfare reform bill.

1620

The Who Does What exercise was instrumental in what is now happening in social assistance, and that is, the Who Does What committee said very clearly that social programs should not be on the property tax base at the local level; they absolutely should not. This government has ignored that, has ignored the wisdom of David Crombie and his panel, who drew from widely across the province in terms of what should be funding social programs. They said that social assistance should simply not be, but they ignored that.

We have very significant concerns with the bill. It essentially takes a whole myriad of individuals receiving assistance for a number of reasons and dumps them into two baskets only: If you manage to get over the barriers that are now created to be classified as disabled, you fit into one basket; the rest of the group is now in Ontario Works or workfare, as it's publicly called.

In the workfare section we have significant concerns around 60-to-64-year-olds, foster children, our native communities, abused women, issues around child care. There are very punitive aspects for people accessing the system involving liens, trusteeship, third-party payments, the appeal process, enforcement and fraud measures, the regulations which are so rampant throughout the bill, and of course we have no detail of that, and certainly we're very much opposed to the fingerprinting clause in Bill 142.

Under schedule B, the Ontario disability support plan, the same as above applies in terms of our concern. It includes the elimination of vocational rehab and the privatization allowance for that; the level of employment supports, how they'll be determine and by whom; and terminology that is used in this section like the words "competitive employment," which the government fails to give us clarification on, only fuelling the fire that these are very dangerous words in terms of their application.

The verification of being disabled is a significant concern to us as well as the compensation amendment that was made by this government, and certainly concerns for those with mental illnesses in particular because those issues for those with mental disabilities we believe have not been addressed by Bill 142.

Finally, we'd like to comment on exactly why the government needs to advertise and spend \$900,000 of publicly funded moneys to advertise a program that is now mandatory.

The Who Does What commission, the dumping of social service on municipalities — what did the cities have to tell us? They told us major concerns centred around being locked out of participating in the very drawing up of this bill. They described issues around being dictated to. When they have to pay and roll out the program, they have

been dictated to as to how that will happen. They all mentioned to us the undercurrent of threats to the cities by the minister herself, threatening to go public that a particular city was actually opposed to workfare.

There are concerns certainly around foster children, 60- to 64-year-olds, issues of liens, and of course the legion of issues that are being left to regulation. We'll take some examples as well.

When we were in Niagara Falls we heard from the regional municipality of Hamilton and they said, regarding 60- to 64-year-olds, "Based upon our experience with employment programs and given the multiple employment barriers faced by individuals in this age category, we suggest that individuals 60 to 64 years of age not be required to participate in Ontario Works except on a voluntary basis." We brought examples of that into this House and the government has refused to listen.

Although those currently in that age group are receiving FBA benefits and they'll be grandfathered when the legislation changes and be included in the ODSP as of January 1998, an inequity of benefit levels will exist as those 60 to 64 years old will no longer be allowed to make application. You essentially, in only the next year, have two levels of inequity in terms of how we are supporting those 60 to 64.

In the case of foster children, they said, "It is the view of the regional municipality of Hamilton that" the cases of foster children who are on assistance "would be more appropriately addressed within the child welfare protection system. Income maintenance workers for the most part have neither the expertise to assess whether foster children are appropriately placed in a safe and secure environment, nor have the skills to determine other required support services."

The attempt through the Ontario Child Mortality Task Force to integrate and coordinate gaps in service to children to ensure that any potential gaps are addressed — "the inclusion of foster children under Ontario Works appears to contradict other integrated approaches." How very strange to have heard nothing from the new Minister without Portfolio responsible for children.

"Municipalities," it goes on, "are now being asked to contribute 20% towards the benefits of individuals...under the ODSPA. This program will be solely administered by the provincial government even though municipalities are contributing to the program financially. Previously, the program was 100% funded by the province." They have some genuine concerns over the costs now being borne by the city.

It also goes on to say that in the interim, individuals who would be applying for the disability side will be required to seek assistance from Ontario Works until they are deemed to be a person with a disability, adding further costs to that municipality.

We had a very thoughtful presentation from the city of London. They had significant concerns around the administration of this whole program. These are the actual delivery agents delivering this bill as it rolls out across

Ontario. We would have thought that at minimum these significant partners would have been listened to.

It goes on to say: "The act makes no provision for any municipal involvement in the review and/or setting of budgets, programming, policy guidelines or regulations. Nor, to the best of our knowledge, was there any municipal involvement in the initial development of the bill. Given that at least in the short term the local level of government will be delivering the new Ontario Works program, it is a great concern for this community that the local level of government was not involved in its development and will not be involved in the establishment, monitoring and evaluation of program guidelines but will be required to share in its cost."

On the issue of youth, they were very clear. It says, "Our key concern is that unless solid protections are put in place, vulnerable young people in our community could be further put at risk by this requirement. An example could be a young person who agrees to pay a percentage of his or her social assistance cheque so that a person will agree to become his or her trustee or guardian. The point is this: Many of these young people come to us precisely because they don't have the supportive family or community members who are willing to come forward and act as responsible adults, trustees or guardians. If they did, perhaps they wouldn't be coming to us in the first place. This new regulation may place vulnerable youth in a potentially exploitative situation. In our experience, the current system provides a more than adequate number of safeguards to ensure effective use of the system."

Most surprising of all was our stop in the city of North Bay, which the government members insisted we go to. Out of all of the 24 submissions made to Bill 142 in Mike Harris's home town of North Bay, not one submission was in favour of this bill — a complete crash-and-burn public relations exercise on the part of the Ontario government. Their concerns were very clear regarding the provincial downloading. Their concern before the standing committee was that the general welfare act did include a provision for changing the cost-sharing. They're all significantly concerned about the cost that will now be borne by cities across Ontario. "We are of the opinion that to insulate municipalities from unexpected economic downturns, the province should reinstitute this provision. To do any less would send a signal that there is not confidence in the province's Ontario Works strategy."

This particular submission from the city of North Bay also went on to list all of the regulatory powers that appear, in their words, as "autocratic." The balance of the public is now becoming aware that this is a pattern and that this autocratic appearance is in fact very telling in all of this government's legislation. They go on about their need for input to develop the strategies that the delivery agents are actually going to have to follow through on.

1630

We heard from a front-line worker, a member of OPSEU, who was prepared to stand and go forward when others apparently had received some significant threats about not speaking out against this bill. It was best

illustrated by an individual who spoke to us about "the big lie of workfare," as he called it, and the administration nightmare. He said that this new process with this bill "requires a new computer system which would link all the Ontario Works offices together. This system does not exist. The computer program for Ontario Works that has been set up in the 20 test sites does not link them together nor allow for direct deposits of cheques...."

"Each of the 20 test sites for Ontario Works had to file a work plan which had to be approved by the province. In the plan approved and in operation in the Niagara region today, Ontario Works staff no longer visit clients at their homes to confirm they actually live there. Interviews now take place in the office. This is the case with the majority of Ontario Works programs that have been approved. You could literally get in a car and drive from Niagara Falls to Hamilton, on to London and finish up in Windsor, collecting welfare cheques all the way."

This is very familiar, given the Provincial Auditor's report today, which suggests a number of areas within various ministries that are suffering from significant mismanagement.

We thought this presentation was quite well-thought-out. He specifically felt the sting of the suggestion that this is such a new program. He offered his observation that of the four options under the program, three of them already existed, and he felt quite incensed that the government would make political hay out of the fact that the majority of people operating in the system today are actually operating under the system as it existed before the fourth item of employment placement was even added to the bill.

I can tell you that our concern surrounding the 60-to-64-year-olds is significant. We find that the treatment of this group is really offensive. Every argument the government makes on this score actually only proves that the program should be optional and not mandatory. Since these individuals today under family benefits are going to be grandfathered in, you're actually going to create two levels of income. If you happen to be 60 to 64 years old today, you could be okay; but if you're turning 60 after January 1998, you're out of luck.

This was expressed to us by the Senior Citizens Council Peterborough. They were very clear about their concerns. They said: "Persons in the age group 60 to 64 years are the ones most likely to have been able to purchase a home, often only as a result of considerable sacrifice and family hardship. Many of these older workers have been laid off through plant closures and downsizing. They have used all their employment insurance benefits and exhausted any savings, and now have to resort to social assistance until such time as they're eligible for other benefits such as old age security. To place a lien on their homes is extremely offensive and mean-spirited...."

"Most 60-to-64-year-olds have been valuable, contributing members of society, both in terms of hard work and voluntarism. We totally disagree with requiring this age group to participate in workfare."

I ask the government, who were you speaking to? Not one seniors' group which spoke to us indicated support for this program.

Our native communities are another group that we feel have been treated in a very deplorable manner by this government. There has been no input on the part of native communities, and that, frankly, except for this government, is unprecedented. We heard from a number.

The Ontario regional chief, Tom Bressette, said: "Applying Ontario Works to first nations under Bill 142 would constitute a breach of the 1965 welfare agreement, which only includes general welfare for cost-sharing and not the family benefits assistance component. Federal money is involved to a large extent when it comes to first nations social assistance, so a blanket application of Ontario Works to first nations would not only be inappropriate, it could hurt the province, as federal dollars may be lost unnecessarily."

We also heard from Doug Maracle, the grand chief from the Association of Iroquois and Allied Indians. He said very clearly: "Ontario Works will not work in first nations communities due to their remoteness and diversity, as well as changing labour market needs, unless special measures are included to address the lack of jobs. Participation and enhanced job search activity could be futile where the lack of jobs in an area is not addressed."

We then heard from the Union of Ontario Indians. They were very clear: "It completely ignores first nations' inherent rights and imposes legislation that will be difficult to facilitate in our communities. It almost appears as if you want us to fail in our attempts to implement your new legislation. We have continually told you that we have other alternatives and have already experimented with different types of reform and yet you have failed to listen to us." I ask the government again, whom were you listening to?

The area around how this legislation impacts on abused women is of great concern. The new provisions to give information and documentation that are untenable for women who are coming from abusive homes and on to the system for help. It's very clear in how this bill has been written that you have not taken these individuals into account.

Provisions in this bill surrounding third-party information would be laughable if it wasn't so dangerous. When we heard from the West End Legal Services in Ottawa, they were very clear, in particular surrounding third-party information:

"We presume that one example of this proposed change will be to obtain a verification of residence from a former spouse for the purpose of this brief.

"Abused women flee their relationships and may not communicate with their former partner for quite some time. It is unthinkable that women will be forced to obtain verification directly from their former spouse/abuser as to their living arrangements or their whereabouts.

"We feel that this proposed step will definitely endanger the lives of many women as they'll be put in

contact with the abuser during a very volatile time immediately following the decision to leave."

We in this House know and have heard repeatedly that often women who are fleeing abusive situations have no choice but to turn to the system for help for at least an interim period of time while they get back on their feet.

The issues around child care: This bill does not set out child care as a prerequisite for the government to assist, claiming that it's going to be in regulation. Current pilot projects promote an unregulated system with taxpayer dollars. This is of great concern to us.

The Ontario Coalition for Better Child Care said it very succinctly:

"The Minister of Community and Social Services has said that \$30 million will be taken from the current budget for regulated child care and made available for Ontario Works child care....Municipalities that have served as Ontario Works pilot sites have been encouraged to direct parents to unregulated care by a differentiated funding model which compensates them for 100% of the cost" if the child care is unregulated "but requires them to pay 20% of the cost" if it's regulated. "There are both moral and public liability issues if harm befall a child in an unregulated arrangement that is being funded with public dollars."

We find significant areas in the bill that are very punitive for people who are trying to access the system. They are actually meant as barriers as opposed to safeguards, for those who work the system know who must access the system. They understand that what you've allowed in Bill 142 will actually bar people from entering the system when they need help.

The whole area surrounding appeals, decisions, the internal review process, the tribunal — all of it meant to be barriers versus safeguards to the system. The time to appeal: If someone doesn't like decisions that are being made, the time constraints are so stringent that individuals will not be able to meet those, and when they don't, tough luck; they're out of luck.

"Decisions: There is no requirement in the act" for people to give reasons why they made a particular decision. "It is repugnant to the principles of fairness and decency to deny basic-needs income without providing reasons. It also compromises a person's ability to challenge the decision." This came to us from Community Legal Services in Ottawa.

"Internal reviews: Internal reviews must be completed within a time specified in the statute and financial assistance must continue to be paid until the review is completed. This is necessary to protect recipients against undue delays which deprive them of benefits," and the specificity around time frames for the government simply is not outlined here.

Tribunals appointments are going to back to the way it was before the Liberals changed and introduced SARB, the Social Assistance Review Board, which did not allow it to be simply patronage appointment by individuals who are not going to be qualified to make significant decisions that impact on people's lives.

"Ministerial policies: ...a meaningful appeals system will be useless if one other provision is not removed from the legislation. That is, the power given to the minister to make policy that will have the authority of law, though never subjected to debate in the Legislature nor the approval of colleagues in cabinet." This is a very, very familiar clause to us. Everyone who has been fighting Bill 160 recognizes that as being the same existing under Bill 160 for the education minister and so too the Minister of Community and Social Services.

1640

There has been so much left to regulation. There are pages upon pages of the bill that simply say "as prescribed in regulation." What we are looking for is detail. When groups came to speak to us they were told: "Well, it won't be our intent. You'll see that in regulation." If you were so convinced that you were going to be able to put forward a plausible argument for what you were doing, you would have tabled regulations to accompany the bill, but you didn't do that.

We must say, fingerprinting overall is simply not on. The Premier speculated at one point that we should fingerprint everyone. Quite frankly, why would you select one group, that is the group under disability assistance or those under the Ontario Works system, to be subjected to fingerprinting? You have yet to do that for the larger population, and this kind of stigmatization goes against everything that the people who have just spoken on behalf of the government say they're not trying to do. We simply oppose that.

The issue of liens is fairly significant. It turns the social assistance program from one of assistance or help to one of a loan. As we heard very clearly from the Muskoka Legal Clinic when we were in North Bay, this group told us very clearly:

"The consequences of the liens provision for single mothers is particularly oppressive. Many of those who have managed to salvage the matrimonial home from a marital breakdown will already be facing property liens imposed by the legal aid plan as a condition of having been given legal aid to obtain a property settlement in the first place. Women who have escaped from violence need time with their children and often need to be retrained to re-enter the workforce. This provision will leave them with no option but to sell their home instead of receiving assistance or sell their home to satisfy the lien in return for assistance. The only economic security they possess may be their home."

When we turn to the portion of the bill that is entitled "Ontario Disability Support Program Act," we have concerns even though the definition has now been amended. The regional municipality of Hamilton was very clear about their concern surrounding the definition:

"There are no apparent definitions within the ministry documents pertaining to the words: 'disability,' 'vulnerable,' 'substantial barrier,' 'substantial restrictions,' 'permanent serious disability' and 'those who qualify.'" These are the kinds of words we find in schedule B that have no definition, that can well be left to interpretation,

and it will be exactly that, left to the interpretation of those who are writing the policy brief that will then be deemed how service providers will interpret the law. We have significant concerns.

When we talk about those with particular disadvantages here, we have to speak of those with mental illnesses. There is an increasing demand on recipients to obtain and maintain assistance, thanks to Bill 142.

Increased requirements for information and documentation: There are harsh penalties for failure to produce these documents and the third-party payments make this group especially vulnerable.

I'd like to point out a submission made by the Canadian Mental Health Association, Ontario Division. They speak about those who receive family benefits due to a disability.

"...a full 25% or approximately 29,000 individuals have a psychiatric disability.... There are, moreover, many persons with mental health problems who receive" general welfare. These are the individuals who we now presume will be dumped into Ontario Works if they don't meet the criteria, which people don't understand whether they will or not. "It's estimated that about 40% of general welfare recipients have a disability, most often a learning disability or a mental health problem. Some of these individuals are on" lists now waiting for the general welfare system "to be transferred to FBA."

They had very clear concerns around how the Ontario Works Act will affect those with mental disabilities:

"It is not clear how persons with mental health problems 'not disabled enough' to receive social assistance under the ODSPA but unable to work due to their illness will be able to access income support to meet their basic needs." The Canadian Mental Health Association, Ontario Division, is concerned that these individuals will fall through the cracks and that their mental health problems will worsen to the point of requiring hospitalization."

We heard from a number of individuals who expressed significant concern when they have mental illness. The information requirements that we spoke of: "Many individuals with mental illness will not be able to fulfil these reporting requirements and they will be denied their benefits as a result.

"For example, a person with mental illness is too afraid to open mail from the FBA office. She leaves the envelope on her counter for a week until the worker comes to visit to open it with her. Not enough time remains to provide necessary documentation" within the prescribed time period and then the individual is thrown off the system. "In addition, more than 60% of our clients cannot afford and do not have a telephone."

From the Queen Street Patients Council we heard some quite unsettling information about involuntary trusteeship:

"Seizing control of recipients' financing and giving it to a third party is a violation of individuals' rights that will affect people with a psychiatric diagnosis and the developmentally handicapped more than any other groups. It does not provide the minimal safeguards and procedural

protections that are described in the Substitute Decisions Act. Who will be doing capacity assessments?"

We advanced amendments to the government that suggested that those who are doing the assessment be medically capable of doing so. The government refused to pass our amendments. Those who are doing verifications and assessments are individuals who don't need to have any medical experience. We're talking about people who are assessing those with physical disabilities, and those individuals don't need to have any medical requirement to be doing that job.

Does anyone see anything wrong with that picture? Who will make significant, life-changing decisions for these people when you're dealing with physical impairments and disabilities and you don't even allow that it might be a doctor or a medical professional to make those kinds of decisions? It seems absolutely ludicrous.

When we spoke to Parkdale Community Legal Services, they told us very disturbing stories about what currently happens in the system, and nothing in Bill 142 would be meant to fix this.

"Tenants" with psychiatric disorders "complain that FBA sends their full cheque to the landlord. It is apparently the landlord's responsibility to deduct the money for room and board and disburse the remaining amount as a monthly stipend. Tenants have reported that they receive nothing from this operator.

"Tenants also complain about the poor quality of the food. A former staff person confirmed that the operator purchased meat from workers at a local slaughterhouse. The workers set aside meat that was not approved by inspectors for public consumption and sold it to the operator at a reduced rate.

"Tenants feel trapped in the home because that is where their cheques are sent. If they indicated a desire to move, they would have to give at least two months' notice, and during this period they're afraid that they would be even more ill treated. Efforts to contact outside support have often been frustrated. One tenant who wanted to come to the clinic to complain about conditions at the boarding-home had their winter coat taken away. Other tenants, distressed by their circumstances, would frequently dial 911 in an attempt to involve the police. The boarding-home operator then removed the phone."

These are instances that absolutely exist in Ontario today. There is nothing in Bill 142 that is going to fix this situation, and the government has the gall to stand up and say they're doing such marvellous things here.

The elimination of vocational rehab is a major concern for our party. We ask the simple question why. Why does the government want to proceed on this front? We've met those who actually deliver the service. These people care about the individuals they work for. We understand that it's going to be a matter of privatization with this government.

Many questions remain. If private firms dole out employment support to those with disabilities, how do they make money? If a private firm has to make money at it, are they going to get money per placement? If that's the

case, since so many in this group will be hard to place, will they then skim off those who are easiest to place, leaving the rest aside so that no one is looking out for their best interests? The worst part about this area is that when a delivery agent, perhaps a private company, determines the level of employment support, that is simply not appealable. If they decide no employment support, it is not appealable.

Use of words like "competitive employment" gives us great concern. We asked the parliamentary assistant to explain what is meant by "competitive employment," because unless that individual is going to use employment supports for competitive employment, they won't be allowed to have those employment supports. What is competitive employment? Does that mean that individuals with disabilities who are now in a sheltered workshop probably wouldn't be considered a competitive employment placement? So do those individuals lose the transportation and whatever kind of mechanical assistive devices they need? Would it be in the best interests of the private company doling out employment supports to not issue any support to individuals who would be using sheltered workshops?

1650

Moreover, when you eliminate vocational rehab, as you're doing — the whole act is gone — there are sheltered workshops in Ontario now that get a portion of their budget covered through vocational rehab, so does that mean the money is gone? Those sheltered workshops who have 25% or 50% of their budget covered from the provincial government through vocational rehab — where is that money going?

Schooling supports is a good example for those who are deaf and hard-of-hearing. Those schooling supports came through vocational rehab. The government is talking about how it's now going to go through the Ministry of Education, but you haven't done it yet. You're introducing a bill and eliminating it in one area, and you don't have another system set up yet to deal with it. You haven't said: "Yes, we are going to help. Yes, the Ministry of Education will be handling it." People who are deaf and hard-of-hearing have been asking for these answers. In fact, every group that represents those with disabilities who spoke to this bill itemized a significant number of concerns, even with the portion of Bill 142 that was supposed to be so wonderful for the disabled community.

I spoke about the verification of disability a moment ago. We asked for there to be someone who is certified, someone who is at least a professional in the area of determining who would be considered disabled and under what circumstances. You would not allow us to pass those very simple amendments.

There was also a compensation amendment which allows a third-party payment to some trustee who will be overseeing the benefits that an individual with a disability receives. We don't understand where that compensation will come from. Will it now come from the government, or will it come as a percentage from the individual who's receiving assistance? If that's the case, what percentage?

What share? A lion's share or a small share that the individual on disability has to give up a portion of if they are going to go forward and have someone as their trustee?

Finally, we'd like to talk about why the government needed to advertise — a \$900,000 ad campaign, not paid for by the PC Party, which it should have been, but paid for with my money, with my neighbour's money; the taxpayers of Ontario paid \$900,000. Not when this bill was through, when it was passed — no, in the middle of our hearings they launched a public ad campaign promoting the virtue of workfare, and it was not even law at that point. I ask why.

We submit that it has absolutely been a crash-and-burn exercise. The time is long past. People are working today. They're very hopeful. There isn't that angry mood that existed in 1995, when the PCs played on that anger to introduce workfare as a very populist theme for their platform. "Tough Job Selling Mandatory Workfare." This didn't come from the Windsor Star; this came from the North Bay Nugget. Even in North Bay this government cannot sell workfare, because those who have to mete out this program understand very clearly that it's not designed to work. "Tough Job Selling Mandatory Workfare."

The Provincial Council of Women of Ontario, which has for a long time watched and been the watchdog of government legislation, said very clearly: "Bill 142 is based on certain...erroneous assumptions. The first assumption is that people who apply for welfare are irresponsible." The third, they say, "is that there is rampant fraud." Individuals and groups like the Provincial Council of Women of Ontario have tracked the area of social assistance for years and have known for years that what the government says about fraud is simply overstated and exaggerated.

I'd like to quote very directly from a book that I think would make a great Christmas present, called *The Promised Land: Inside the Mike Harris Revolution*, by John Ibbitson. While the government doesn't like to admit that the minister went out of her way to threaten communities to participate, she was quoted very directly on page 255:

"Ecker was not above a little political hardball. 'I said to a couple of municipal politicians, 'If you really want to go into the next municipal election firmly opposed to workfare, I can help the voters understand that that's your position,'" she confides. 'They look at you for a minute, then they go out and test the waters and they discover workfare is an extremely publicly supported program.'"

Never mind the fact that you are the government, that you have the obligation to bring in policies that are good for all Ontarians; you decide to bring in workfare because it's saleable to the public at that time — not because it's good government policy, but only based on that kind of rationale. That a minister of the Ontario government would go out to communities and say, "We will give you such political heat during your municipal elections if you dare to oppose us on the implementation of workfare, we'll make it miserable for you during the municipal

elections" — I have never heard a minister operate in such a devious manner as that. It is simply untenable to think that the government of Ontario of today goes out of its way to scaremonger and threaten local politicians —

Hon Mrs Ecker: Devious? I said I'd help them make sure —

The Acting Speaker (Mr Gilles E. Morin): Minister, it's not your turn.

Mrs Pupatello: — and threaten the withdrawal of funding perhaps in other areas that the provincial government funds.

Hon Mrs Ecker: We didn't threaten them, Sandra.

The Acting Speaker: Minister, I don't need to tell you again.

Mrs Pupatello: Another example I might give is one of the news releases about how the welfare rolls have dropped: "Minister Ecker noted that September's decline reflects an increase in seasonal employment and the government's welfare reforms are continuing to have an impact. The welfare reforms include...anti-fraud measures...tougher eligibility criteria," and "the Ontario Works program requiring participants to take part in activities."

Here we have the government-sponsored report on the principal reasons for leaving social assistance. Actually, those who became ineligible under the new rules, the tougher criteria brought in by the government, account for 1.2%. Where did the rest of the people go? They went into jobs. Why? Because after a significant recession in the early 1990s, we are now having more jobs available than we did before. We have always maintained that there is an inverse relationship between those who require and are on some form of assistance and the unemployment rate.

When there are jobs, people voluntarily leave the system. That is the way of the world. This government has taken that and has abused it, has inverted information to make people believe they are doing this wonderful thing to the system, and the fact of the matter is that they have been very punitive in their approach to those who need help. They have set up many barriers to people so they won't access the system at all because they're afraid to. That a ministry that is called "community and social services" actually sets up barriers for people to get in there is simply not acceptable to me.

People in Ontario realize that there will always be people in Ontario who need our help. Once we accept that and understand that sometimes people need help, it is not the government's job, then, to kick them when they're down. In my view, that is what the PC government of Ontario is doing today.

I would like to end with a quote by Father Bill Capitano from the diocese of London. He said: "Get rid of workfare. What we need today are good-paying jobs. And since workfare will not provide these good-paying jobs, why spend a lot of time and money trying to put into effect something that will not provide what is really needed?"

A quote from Bishop Sherlock: "Compulsory programs such as work for welfare proved no real solution to the

poverty of individuals or families....offering little in the way of hope."

1700

Mr Peter Kormos (Welland-Thorold): We haven't got a whole lot of time. The government made sure that debate on third reading of this bill was going to be as restricted as any debate ever could be. Notwithstanding that limited time, I should tell you that our member for Sault Ste Marie is going to join me in speaking to Bill 142. There are a whole lot of other members of caucus who very much wanted to, but they've been denied not just the opportunity to, but the right to, as members of the Legislative Assembly.

I suppose the corollary is also true. Just as members of the opposition are being denied the opportunity to address — this is going to be a week that goes down in Ontario history, I tell you. The trilogy of bills, Tuesday, Wednesday, Thursday — 142 today, 152 or 160 tomorrow, and then 160 or 152 on Thursday — all three of them having an incredible impact on the lives of virtually every Ontarian and every Ontario family, but for those who are immune from this government's mean-spiritedness. On the very wealthy Bill 142 will have little impact. Bill 152 will have little impact. Bill 160, my God, the very wealthy can send their children to private schools in any event. The gutting of public education to the very wealthy holds little importance and this government knows it.

Don't think you're going to see some massive upsurge of courage on the part of government backbenchers, who have been inclined from time to time to speak in response to newspaper or other journalists' inquiries about the pathetic and thoroughly evil direction of this government. By and large, you've got a caucus here of government members that has been — well, they've been paid for, bought and paid for. There is only a handful of them that don't have perks.

Don't forget, the minimum wage here is \$78,000 a year, and then there's the grease that makes the government caucus machine work: cabinet ministers abounding; parliamentary assistants in untold numbers; for more than a few cabinet ministers, two parliamentary assistants; committee chairs, committee vice-chairs, the list is almost endless. There is but a handful who don't have perks in addition to their base salary. When I'm talking perks, I'm talking hard, cold cash here. I'm talking money. This is well beyond "Show me the money." They've seen the money. They've got it. They pocket it. I'm afraid that for these people this is an awfully persuasive lure.

You know, Speaker, that the mere six days of public hearings — two days here in Toronto and four days travelling across the province — but the Tory majority on that committee very much figured they were going to pick and choose the venues. They thought they were going to pick and choose venues wherein the support for their Bill 142 — let's put it very bluntly. Bill 142 is an attack by this government on the poor rather than any effort to come to grips with the tragedy of poverty in this Ontario. They picked venues like North Bay, like Ottawa, like London,

like Niagara Falls, where they figured they were going to find popular support for this vicious attack on the poorest in our provincial community. Inevitably, who are the poorest? Women, kids — 50% of the people who rely on social assistance in this province are kids.

When the government first broached the topic of so-called workfare, I was reminded promptly of some of our very own history down in Crowland, now a part of the city of Welland, where I was born and grew up. I was fortunate to find that there had been a short history written by Carmela Patrias of the relief workers' strike of April 1935. You see, workfare isn't a novel prospect; workfare isn't novel at all. Back in 1935, during the midst — I give the Tories this much: They tend to be very nostalgic people. They do. They tend to reflect on the "good old days," and it seems that for them the good old days were, among others, the dirtiest of the 1930s here in Ontario.

Let's take a look at some of what Ms Patrias, in her history of the Crowland relief workers' strike, has to say about how local industries responded to the crisis of the Depression. She writes: "Local employers didn't hesitate to exploit the desperation of working families during the Depression" — it's starting to sound familiar — "and their behaviour no doubt sharpened workers' consciousness of the injustices inherent in industrial relations. The Empire Cotton Mill, which was notorious for underpaying workers of all ages, preferred to employ children between the ages of 14 and 16, because they could be paid less than adults."

You see, one of the phenomena of the last Great Depression, of an era that this government seems to envy and feel so much nostalgia for, was that when you maintained high levels of unemployment, you had the direct effect of driving down wages. You create a competitiveness among workers, among working people, which forces them into a position where they'll compete for work by accepting lower and lower wages. It happened in the 1930s and it's what is happening 60 years later here in Mike Harris's Ontario.

What they did was there was a relief office down in Crowland. Workfare prevailed. Crowland's unemployed were forced — today I know exactly where the street is. It's the Beatrice Street sewer line. A whole lot of those families are still around. A whole lot of those folks are still around from 1935. They remember well. They remember having increased demand placed on them through the workfare system but decreased levels of support provided to them. There was a cut to social assistance rates. Once again, sounds familiar, doesn't it?

These people, being the kind of pioneering and committed people they were, and proud of themselves and of their families, rather than take it, organized themselves and went on strike. That's what the Crowland relief workers' strike was all about. Eventually forced to dig sewers at gunpoint by Mitch Hepburn's hussars, these people none the less organized, and the tactics utilized by their organizers, as is written by Ms Patrias, involved the participation of community members of all ages in the struggle of these unemployed.

The school strike, the boycott of classes by school children, was a tactic that was advocated and utilized. On the day that the doors of the relief office in Crowland were closed, the children of the strikers and their supporters stayed away from school to picket and demonstrate alongside their parents. At Mathews School — still there; I was out on the picket line with their teachers but a few weeks ago — in what was an immigrant part of what's called an industrial park, 30% to 40% of the pupils were absent in protest of the cuts to assistance rates and the imposition of a harsh and punitive workfare system. We witness it again 62 years later.

This government's nostalgia for the past includes very much a nostalgia for high levels of unemployment, for the abuse of children, for an attack on the poor rather than an attack on poverty, and for an appeasement of the wealthy by somehow suggesting that the poor are responsible for their unemployment and that they ought to be punished as a result of the community's inability to provide adequate numbers of jobs; an interesting comparison.

I commend to you, Speaker, the treatise by Carmela Patrias, called *Relief Strike: Immigrant Workers and the Great Depression in Crowland, Ontario*, published by New Hogtown Press at the University of Toronto. I urge you to take a look at it. Take a look at some of the photos. Take a look at some of the faces. Take a look at the armed police as they herd relief recipients into the trenches of the Beatrice Street sewers.

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This government took great pride during the course of the election campaign in generating a mythology about who's poor in this province, why they're poor, and suggesting that somehow people choose to be unemployed and people choose to live in poverty. We heard that only moments ago from the minions of the minister herself, her not just one but two parliamentary assistants. Once again, let's understand that minimum wage in this chamber is 78 grand a year, 78 Gs. That's it. That's minimum wage. There are a handful of Tory backbenchers who make but that minimum wage. The vast majority make far more.

Mr Gilles Pouliot (Lake Nipigon): The pension buy-out.

Mr Kormos: Somebody mentioned the pension buy-out. Mike Harris's pension reduction scheme made him a member of the millionaire's club, like that, overnight. It wasn't the NDP resolution to the issue of pensions. It wasn't, quite frankly, the Liberal resolution to the issue of pensions. It was Mike Harris's termination of the pension plan. A heck of a termination.

Mr Rosario Marchese (Fort York): He did okay.

Mr Kormos: He did just fine, thank you kindly. Who paid for it? Let's reflect back to one of the first things this government did. One of the first things this government did was slash social assistance rates by 21.6%. They can talk all they want, and they have, about how somehow that puts Ontario above the national average. Not interested in hearing about national averages when we know that a 22% slashing of social assistance rates forced people out of already pathetic levels of housing, forced people from

the most modest levels of nutritional intake into the most pathetic poverty, into the most desperate poverty, into the cruellest poverty, and indeed into homelessness and the sadness of moving from hostel to hostel, from church basement to church basement in the coldest months of the year.

Look what the government succeeded in doing immediately after slashing the social assistance rates. It increased MPPs' salaries by over 30%.

Interjections.

Mr Kormos: Somebody howls. There's squealing coming from the government back benches. The squealing suggests that maybe somebody had better administer some novocaine; I think we hit a nerve.

The net cost to taxpayers this year for MPPs' salaries and stipends is \$3 million more than it was before Mike Harris's pay increase to his Tory backbench MPPs. Again, who helped pay for salary increases for MPPs? Who helped pay? Those very same kids and their single moms whose welfare rates were slashed by 22%. The government persisted, the Premier himself, Mr Silly, persisted in insisting that this was a reduction in salaries.

Mr Pouliot: It's close to a lie.

Mr Kormos: Somebody said it was akin to a lie — akin to. It could have been a miscalculation. If it was, it was a \$3-million miscalculation, a 40% miscalculation, a pretty grand one if you look at it from any perspective. But the fact is that the government's own documents provide the goods on this government: a \$3-million increase in costs to taxpayers for MPPs' salaries after a 22% slashing of social assistance rates and after Mike Harris lines his trough for his Tory backbenchers. To whip them into shape? Perhaps. It's tragic, though.

I understand why big amounts of money would lure people into corruption. These guys went down for a relatively small amount of money. They bit the canvas, they took a dive for what at the end of the day was a relatively small amount of money. Oh, big money when you talk about the moms and their kids living in poverty, but in the total scheme of things, when you're talking about increasing salaries of \$8,000 to \$9,000 to \$10,000 a year, it's tragic how a caucus would bite the canvas and take a dive for a small, in relative terms, amount of money.

It speaks to the inability of any of these Tory backbenchers to stand up and stand firm and stand strong and indeed speak out for their constituents rather than speak out as per the instructions of their whip, whoever that might be at any given point in time. Once again, let's not expect to see any dissenting votes from Tory backbenchers today, even though they know as well as any opposition member how pathetically inadequate this legislation is.

Workfare? Ontario Works? My foot. It's the same old welfare system, only rolled back 40, 50, indeed 60 years. It's a welfare system that demeans and terrorizes what are almost inevitably women and kids on welfare, women and kids who need assistance. It's a welfare system that encourages increased poverty and pushes people further

and further into the depths of that poverty so that their chances of ever escaping from it become increasingly inhibited and impaired. You know that, Speaker, and you know who I'm talking about.

Four cities on venue of tour that this government selected, and not one of those cities, not even in North Bay, once proud to call itself the home of the Premier of Ontario, the home of Mike Harris, could this government muster up anything by way of support for what's contained in either of the two parts of Bill 142.

The fear it has generated — fear from the 60-to-64-year-olds this government intends to send out on its phoney workfare schemes, be it moving rocks from pile to pile or painting park benches or indeed perhaps taking work away from other municipal or regional employees who normally should be doing those kinds of labours.

Mr Steve Gilchrist (Scarborough East): You know that's not in here.

Mr Kormos: Well, what isn't in here is the exemption section. It was the narcoleptic tendencies of at least one of the Tory backbenchers sitting on committee that resulted in the Tories defeating one of the crucial sections of their bill, the section that exempted —

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): You've got Hansard all confused.

Mr Kormos: As his chin rested on his chest, as his eyes were concealed by his lids, as the spittle drooled from the corner of his mouth, joining the table, as he was off in rapid-eye-movement dreaming, the government backbenchers supported the opposition's defeat of a crucial part of Bill 142. I would have been much prouder to have been able to say it was as a result of their courage and their willingness to stand up for the poor in this province, but it was the Cafonesque — that's a neologism if there ever was one, but it's acquired some real currency here in the province — the Cafonesque sleeping at the switch by Harris's minions at the committee table. He's going to see some catch-up, I have no doubt, in relatively short order.

These people should have heard, could have heard had they been listening, as we travelled to those four cities, as we spent time here in Toronto, the people who are poor and who are going to be victimized by 142. They could have heard about how much of the reduction of the population on the welfare rolls has probably turned into the homeless who increasingly occupy the streets, not just of Toronto but of small-town Ontario as well.

1720

They would have heard of the deaths of the homeless in this city acquiring tragic proportions, becoming, all too sadly, a regular event. They might have heard from people like Ms Petzoldt, who, along with Sherrie Tingley from Barrie, was at the committee. Ms Petzoldt had some things to say in a column in the Toronto Star. It was written by Michele Landsberg.

One of the things we learned while we were on this committee, if you didn't know before, is that most of the people on welfare, women and kids, came from back-grounds and from homes that were supported as the result

of wage-earners being out there working; that most of the children on welfare weren't born into welfare, but were forced on to welfare by circumstances surely beyond their control.

Ms Petzoldt had something to say about this very Victorian and paternalistic attitude of this government, that they're going to pat these people on the head and help them to pull themselves up by their bootstraps. Ms Petzoldt referred to the programs that she described as the programs designed to teach single moms five ways to cook a chicken. Her response to that, and I quote: "Don't teach me five ways to cook a chicken. Just give me the god-damned chicken." That's what she said. Most women on welfare are there because they lost their job or they fled a bad marriage. Ms Petzoldt wasn't going to take that sort of crap from this government. She wasn't going to be lectured on five ways to cook a chicken. She just wanted the damned chicken, because she has kids to feed.

She's not unemployed through any fault of her own and she never chose to be unemployed, nor did she choose to be poor, nor did her kids. One of the promises this government made was the creation of 725,000 new jobs. I have no doubt, because we've done some research too about some new jobs here in the province of Ontario — they are jobs that are inevitably part-time, temporary and minimum wage or sub-minimum wage.

The crisis in this country just a few weeks ago — in Ottawa they responded — was that unemployment stood a chance of dropping below 9%. So what did they do in Ottawa? They raised interest rates, because they talk about that as economic growth that's unacceptable. It's unacceptable in Mike Harris's Ontario that unemployment should drop below 9%. It's unacceptable that the poorest in our society should be punished for being victims of fiscal policies of Harris and his gang and his Bay Street buddies that encourage lower and lower wages.

There's great wealth being created in this province, great wealth in the midst of this incredible unemployment, in the midst of wages that have dropped incredibly over the course of the last years. Great wealth has been created and it's being held in the hands of fewer and fewer people and this government is doing everything it can to make sure that continues to be the case and becomes an entrenched status quo.

We spent six days listening to submissions about Bill 142. We spent six days listening to the pathetic spin. From time to time, I have praise for the script writers in the Tory back rooms. From time to time, I have praise for them. From time to time, it's reasonably good stuff. When it's been slick marketing stuff that comes from the Tory back rooms and their little workers at their personal computers and at their screens, I've been inclined to give credit for it.

But the pathetic stuff that was used to try to spin Bill 142 was the most miserable and deceitful effort to disguise a cruel and harsh bit of legislation. Day after day, the spin is that people on FBA currently are going to be grandparented into schedule B. Government backbenchers insisted on it, because that's what they've been told, and some of them actually believed it. They insisted that FBA

recipients were going to be transferred on to the Ontario Disability Support Program Act.

I tell you there should be great fear out there among those people currently receiving FBA, because this act repeals the Family Benefits Act, abolishes it, ends it forever. And while there's a rollover instantaneously on to schedule B of Bill 142 — persons with disabilities — there's also section 6 of schedule D, which immediately requires that once those people are rolled over on to Bill 142, to maintain their position on the persons with disabilities program, they have to be eligible for it by virtue of the criteria in schedule B.

This bill is a successful depopulation of the rolls of support from the Family Benefits Act. It has — and you'll hear more about this — created a threshold for persons with disabilities so that only the very smallest number of persons with disabilities will ever qualify, and then what they'll qualify for remains entirely at the discretion of this government. The bill is an effort, and a successful one at that, to take from the poorest in our society, to do what? You know the theme that's been constant for two and a half years now. Gut health care, gut education, steal from the poorest and inevitably kids, and why? To pay off that \$5-billion-plus tax break every year, two thirds of which goes to the top 10% of income earners.

The government created myths and tried to exploit them. But I tell you, the people of this province are aware of the potential. They're aware that part of the scheme is about privatization of the system, that Andersen Consulting is in there like a dirty shirt, just like they have been out in New Brunswick, where they've pulled millions of dollars out of the social assistance system and have taken it from the pockets of people who need it and deserve it, and where as part of the cost-cutting, case workers who were left in the system — because hundreds of case workers lost their jobs, were terminated — were told they could spend no more than four and a half minutes each month talking to each client.

Andersen Consulting has made a fortune off the course of privatization in New Brunswick. They stand to make a fortune getting rich off the poor, because their friends, their buddies, their cronies, their pals are here in power at Queen's Park.

This government has been pathetically trouging their porcine gobbling at the expense of the poorest and the weakest and the sickest and the youngest and at the expense of women and seniors. This is something about which none of us should be proud. We'd like to see a little bit of courage from government backbenchers come time for this vote. I'm afraid that the fuelling of the trough has overridden any potential for that.

Mr Tony Martin (Sault Ste Marie): "A few times a week the fellows who work for the town have lunch at the local restaurant. Just after noon they pile into the coffee shop, grabbing the big round table in the corner. Some of the guys are yardmen. The others are garbage collectors. They have all the gear: work boots, coveralls, big mitts slapped down on the table. Everybody knows them and

everybody gives them the manly nod. They are workers, good workers, and they carry themselves accordingly.

"It's not quite the same when the workfare people come in for a coffee break. They seem a tad sullen, and they're cold, hands pulled up inside their coat sleeves. They don't have all the gear. They don't get the manly nod and they don't carry themselves as workers.

"It's not surprising, I suppose. The Ontario government did not run on a ticket of transforming welfare recipients into workers. They did not promise the electorate innovative solutions that would ease the damage of unemployment.

1730

"Instead, they played on society's malingering desire to prevent welfare bums from getting something for nothing. When the government talks about welfare, they almost always mention fraud. Tales of welfare abuse have proliferated to the point where the single mom and the unemployed worker have become a veritable Bonnie and Clyde. Fingerprint them and make them work for what they owe us, personally and collectively, as if our very tax dollars are being spirited away to pay for some guy's coffee and doughnut at the closest Tim Hortons.

"One does not have to be a fan of the social service status quo to be offended by the Tory agenda. Anyone who works with the poor will tell you that second- or third-generation welfare is a terrible thing. It robs an individual of the ability to explore their talents, experience the pride of a job well done and achieve some fiscal independence. Welfare is an emergency measure so that none of us must go hungry or without shelter. It should not be a way of life. Welfare is a dull and dreary alternative to meaningful work.

"Workfare could have been the first step in a concerted effort to provide people with meaningful work. The chronically unemployed, along with those sidelined by the new economy, could have been part of a provincial public works effort. There is no shortage of roads to be repaired or public housing to be maintained or school children to be tutored.

"For the workers performing these jobs, the welfare could have been called wages. But this would mean they would be government employees. This indeed would have been revolutionary. But despite all the hoopla, workfare is not at all part of a revolution. It is only reactionary and mean-spirited.

"Workfare is a retrograde initiative. The government intends to refuse workfare participants their status as 'real workers.' In recent hearings on the implementation of the government's law, the Tories on the committee were either snoozing or daydreaming when a vote was taken ensuring that those on workfare be covered under the basic employment standards laws of the province. The motion passed, much to the chagrin of the government. Consequently, it will now be forced to bring in a special amendment stripping workers of the basic standards guaranteed anyone who works in the province of Ontario.

"Writing in the *Catholic Worker*, Dorothy Day turned to papal authority to call our attention to the need for work

with dignity. 'The popes have hit the nail on the head: "No man may outrage with impunity that human dignity which God Himself treats with reverence.... Religion teaches the rich man and the employer that their work people are not their slaves; that they must respect in every man his dignity as a man and as a Christian; that labour is an honourable employment...."'

"There is nothing intrinsically degrading about painting fire hydrants, picking up litter or whatever, unless those in charge of the work make it that way. Underlying is the belief that the poor and unemployed cannot really contribute to society — they can only be prevented from abusing it.

"The government's program to get people working does not free them from the economic and spiritual impoverishment of welfare; it is just more of the same. Until this changes, participants are unlikely to have a seat at the big round table in the corner where all workers should feel welcome."

This is an article written in the *Catholic New Times*, November 30, by Lauren Griffin, who lives in Cobalt, Ontario. For me, it probably pulls together all the thoughts I have about this program that is being imposed on the most marginalized and poorest among us in the province of Ontario today.

Who will ever forget that day in July 1995 when this government, the government of all the people of Ontario, this government, one of the richest jurisdictions in the world, particularly in Canada, decided as one of its first acts of responsibility on taking the helm to cut 21.6% of the income of the most vulnerable and marginalized and poorest in our communities? Who will ever forget that? I certainly won't. It's up there as the mark of this government, actually the lowest this government has gone.

We have before us this week in this Legislature three pieces of legislation that will change dramatically the face of Ontario: Bill 160, which we've heard a lot about; Bill 152, which we've heard a lot about; and Bill 142, which in my mind is the worst of the three. They're all connected and they all come together to beat down on the workers and the poor of this province and to change the system so that the rich get richer and the poor get poorer. But the worst of the lot, the worst of the pack, because of what it is doing to the most vulnerable and the marginalized and the poorest, is Bill 142.

The United Church says, "The very first priority of any government" — particularly this government — "today in Ontario must be to stop the slashing of the safety net that we as a society wove under the feet of our neighbours, the means by which we joined in making justice and love concrete among us." They go on to say that what we're missing is a spirit of community and a spirit of leadership.

To listen to this government, you'd think that what they did in July 1995 has resulted in literally thousands of people across Ontario getting new jobs. Let me tell you very briefly where those people went. Here's an article in the *Toronto Sun*, Thursday, October 9: "Homelessness at a 30-year Low." That's where they are. They're out on the

streets. They can't afford to house themselves any more. They can't afford to feed their children —

Interjection: A 30-year high.

Mr Martin: A 30-year high rather. Sorry. "Homelessness at a 30-year High."

Interjections.

The Deputy Speaker (Ms Marilyn Churley): Order, please. Member for Scarborough Centre, come to order.

Mr Martin: That's where they are. They're out on the streets of our communities. They can no longer afford to house themselves or to feed their children. What's happening out there? TB plagues our homeless.

Here's another article that talks about what's happening to the people you folks took 20% of their income away from. It says "Welfare Cuts Worsen Child Poverty in Our Largest City." That's what's happening. It's not going unnoticed. People know what you're doing. I guess what surprises me more than anything is that you're not willing to listen to them, even those who are most thoughtful, those who are most serious about the business of taking care of people and about where this province is going in the future.

Here's a letter that was sent to Mike Harris by some of the leaders of the most well-known church communities in the province. It goes like this:

"Dear Premier Harris:

"We are writing this open letter to you as religious leaders of faith groups from across Ontario. We have been meeting for the past year and a half in anticipation of a meeting with you to express our serious concerns for the spiritual and moral crisis facing our province largely as a result of the social policies being undertaken by your government.

"From reports received from local communities and from our meetings with provincial organizations and groups, we are deeply concerned that the situation is deteriorating for many people who have been adversely affected by cuts to their limited incomes, reductions in the services available and a punitive attitude towards them that cripples their self-esteem and undercuts their place in the community. We are also aware of an increasing dependence on religious and voluntary service agencies which are not equipped or financed to cope with these escalating demands. We are alarmed by a trend, which we perceive, to blame immigrants, welfare recipients, those who are unemployed, the disabled, those on workers' compensation and those forced to live on the streets, as responsible for their own suffering. In our view this has led to a moral crisis in this province characterized by a lessening of civility, the abandonment of compassion and an abandonment of our mutual responsibility to meet the needs of our neighbours."

It goes on: "Since you have been unable to meet with us, we felt that we needed to express to you and the members of your government our serious concerns. As we have said to you, and to previous governments, it is our conviction that the true stature of a society is measured not by how it treats those who are successful, but by its commitment to ensuring a decent life for those on the margins of the community."

This is signed by almost every religious leader of any significance in Ontario today. That's in response to what has already happened and raises a red flag about what's to come if we pass Bill 142. Bill 142, as we know, is about workfare.

Let me just for a couple of seconds share with you some of what's happening in the state of New York in the United States of America, where a class action suit was taken against Mr Giuliani on behalf of a number of people who found themselves in workfare. Here are a couple of examples of case studies.

Here's a person, 44 years old, on workfare: "I keep a log of my daily activities.... On June 18, while riding in the van, we came across two dead cats and two dead dogs. They had been dumped by the side of the road. Because I have no gloves, I had to pick them up with my bare hands. The animals had been run over by automobiles and were oozing blood and entrails. When I picked up the animals with my bare hands to throw them into the garbage truck, the guts splattered on my shoes and pants. My co-worker vomited. My supervisor, sitting in the van, said nothing. I have seen other people who were terminated by my supervisor for refusing to pick up things, and I was afraid that if I refused to leave the van or left the carcasses in the gutter I would be terminated also."

This is workfare. This is what people are expected to do on workfare by a government that doesn't even want to allow them to be covered by the basic standards of employment in this province.

Here's another lady, 57 years old. She says: "Since March 1997 I have worked for the New York City Department of Sanitation, sweeping up streets and picking up garbage. The garbage includes broken glass, nails, syringes, needles, used diapers, used condoms, used tampons and dead rats. We also encounter a lot of half-empty containers with strange-smelling liquids in them and a lot of dirty, discarded clothing which may be infested with germs."

Interjections.

Mr Martin: This may be funny to you, but it's certainly not funny to these people.

"There is nowhere to wash your hands before lunch, and my hands are often dirty from picking up garbage. I always worry about germs and often I do not eat. And now that the weather is hot, I get terribly thirsty on the job, but there is no bathroom to use and I am afraid of having to urinate with nowhere to go."

This is what the people in New York are doing on workfare. What do we do about this? Well, we join with those people out there who are objecting.

Mr Gary Connolly is still on a hunger strike at Trinity-St Paul's United Church at 427 Bloor Street West to protest the initiatives of this government. I ask all of you out there who have an interest in this to be there with him.

The Deputy Speaker: Mrs Ecker has moved third reading of Bill 142. Is it the pleasure of the House that the motion carry?

All those in favour of the motion, please say "aye."

Those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members; a five-minute bell.

The division bells rang from 1745 to 1750.

The Speaker (Hon Chris Stockwell): All those in favour, please rise one at a time to be recognized by the Clerk.

Ayes

Baird, John R.	Hardeman, Ernie
Barrett, Toby	Harnick, Charles
Bassett, Isabel	Hastings, John
Beaubien, Marcel	Hodgson, Chris
Boushy, Dave	Hudak, Tim
Brown, Jim	Jackson, Cameron
Carr, Gary	Johns, Helen
Carroll, Jack	Johnson, Bert
Clement, Tony	Johnson, David
Cunningham, Dianne	Johnson, Ron
Danford, Harry	Klees, Frank
Doyle, Ed	Leach, Al
Ecker, Janet	Leadston, Gary L.
Elliott, Brenda	Martiniuk, Gerry
Eves, Ernie L.	Maves, Bart
Fisher, Barbara	McLean, Allan K.
Ford, Douglas B.	Munro, Julia
Fox, Gary	Mushinski, Marilyn
Froese, Tom	Newman, Dan
Galt, Doug	O'Toole, John
Gilchrist, Steve	Ouellette, Jerry J.
Grimmett, Bill	Parker, John L.
Guzzo, Garry J.	Pettit, Trevor

Preston, Peter
Rollins, E.J. Douglas
Ross, Lillian
Runciman, Robert W.
Saunderson, William
Shea, Derwyn
Sheehan, Frank
Skarica, Toni
Smith, Bruce
Spina, Joseph
Sterling, Norman W.
Stewart, R. Gary
Tascona, Joseph N.
Tsubouchi, David H.
Turnbull, David
Vankoughnet, Bill
Villeneuve, Noble
Wettlaufer, Wayne
Witmer, Elizabeth
Wood, Bob
Young, Terence H.

The Speaker: All those opposed, please rise one at a time to be recognized by the Clerk.

Nays

Bartolucci, Rick	Gerretsen, John	Miclash, Frank
Bisson, Gilles	Grandmaître, Bernard	Morin, Gilles E.
Bradley, James J.	Hampton, Howard	North, Peter
Caplan, David	Kormos, Peter	Patten, Richard
Castrilli, Annamarie	Kwinter, Monte	Phillips, Gerry
Christopherson, David	Lankin, Frances	Pouliot, Gilles
Churley, Marilyn	Lessard, Wayne	Pupatello, Sandra
Colle, Mike	Marchese, Rosario	Ruprecht, Tony
Conway, Sean G.	Martel, Shelley	Sergio, Mario
Cordiano, Joseph	Martin, Tony	Wildman, Bud
Cullen, Alex	McGuinity, Dalton	Wood, Len
Duncan, Dwight	McLeod, Lyn	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 67; the nays are 35.

The Speaker: I declare the motion carried. Be it resolved that the bill do now pass and be entitled as in the motion.

It now being nearly 6 o'clock, this House stands adjourned until 6:30 of the clock.

The House adjourned at 1754.

Evening sitting reported in volume B.

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of Ontario**

First Session, 36th Parliament

**Assemblée législative
de l'Ontario**

Première session, 36^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Tuesday 25 November 1997

Mardi 25 novembre 1997

Speaker
Honourable Chris Stockwell

Président
L'honorable Chris Stockwell

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 25 November 1997

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 25 novembre 1997

The House met at 1830.

FAIRNESS FOR PARENTS AND EMPLOYEES ACT (TEACHERS' WITHDRAWAL OF SERVICES), 1997

LOI DE 1997 SUR LE TRAITEMENT ÉQUITABLE DES PARENTS ET DES EMPLOYÉS (RETRAIT DE SERVICES PAR LES ENSEIGNANTS)

Resuming the adjourned debate on the motion for second reading of Bill 161, An Act to provide fairness for parents and employees by providing remedies relating to the province-wide withdrawal of services by teachers between October 27 and November 7, 1997 and to make a complementary amendment to the Education Act / Projet de loi 161, Loi favorisant le traitement équitable des parents et des employés en prévoyant des recours à la suite du retrait de services par les enseignants à l'échelle de la province entre le 27 octobre et le 7 novembre 1997 et apportant une modification complémentaire à la Loi sur l'éducation.

The Acting Speaker (Mr Bert Johnson): The Chair recognizes the member for Northumberland.

Mr Doug Galt (Northumberland): I'm very pleased to be able to speak on Bill 161, the Fairness for Parents and Employees Act. This bill is about fairness for the working families in Ontario who didn't anticipate a strike, one that was called at the last minute. Right up until Sunday they didn't know whether it was really going to happen or not. It's fairness for employees with children who couldn't go out to work and had to stay at home and look after their children. It's also about fairness for teachers who were very dedicated and who decided they were going to continue to teach in spite of this illegal strike that was called.

It was an illegal strike. They tried to call it a protest rally, but my definition of a strike is when there's a withdrawal of people or their services from employment. To me, this was a strike. Certainly it wasn't legal, therefore it has to be illegal, and I think that is the proper terminology for it.

We've heard the teachers' unions suggest that the style of this government has been very dictatorial and there's been a loss of democracy. Maybe for a moment, while

we're into Bill 160, let's have a look at this dictatorial process.

With Bill 160 we had the two readings. We had hearings, a lot of hearings, which doesn't happen in a lot of other provinces. We've had extensive consultation about this reform going back to 1950, all kinds of things from some 24 reviews, two royal commissions, 10 regular commissions and committees, reports, two fact-finders. More recently, there's been the Sweeney report and in my riding we had several focus groups look at that.

Secondary school reform: The Education Improvement Commission has gone out and consulted with parents, with teachers, with students. It's been —

Mr Wayne Lessard (Windsor-Riverside): On a point of order, Mr Speaker: I don't believe there's a quorum present.

Clerk at the Table (Ms Lisa Freedman): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

The Acting Speaker: The Chair recognizes the member for Northumberland.

Mr Galt: Thank you very much, Mr Speaker. It's interesting to note we don't have an NDP or Liberal member in the House. We look forward to their return very shortly.

I was commenting about dictatorial process and I would like to refer you to what happened with the unions. The unions of the teachers called an illegal strike with no vote of the general membership. To me, that's dictatorial, that's dictatorship. They did have a few regional meetings with some delegates at them to vote, but that certainly is not the way you call a strike in a democratic sort of process. Then after the strike, at the end of it they returned without a vote. That, again, is illegal according to the books. They were supposed to have a vote. That's the way you go about democracy. To me, that was dictatorial.

I thought it was very unfortunate when the teachers and their students and the parents were out in Queen's Park at a great rally, meanwhile the leaders were back at the platform deciding how they were going to end the strike and go back to work without discussing or consulting at all with their membership. I think that's most unfortunate.

We've had an illegal strike that caught parents off guard. They weren't prepared and they had to make special arrangements for their children and they hadn't budgeted for this particular event. Teachers were caught off guard being asked to go out on an illegal activity. Many

employers, thank heavens, were very, very understanding. I certainly commend the businesses and the employers who provided that flexibility and understanding at that time.

Certainly government felt it was important that they come through and help, and so \$40 a day per family was committed at that point in time. A bill was designed to compensate parents and guardians for up to \$40 a day per family for families with children under the age of 13, families with children who were in school and children with special needs who couldn't get into day care centres. It recognized things such as buses being unavailable or not running. It also recognized situations where it would be unsafe for children to cross picket lines, and it recognized programs that might not be available for special needs students.

I think it's very apropos that this \$40 a day to be paid to parents would come from the school boards, the school boards that have saved money during this strike. Now, some continued to pay the teachers during the strike and that created a lot of public concern in opposition to the strike.

This bill is also designed to protect employees from employer reprisals if they were staying at home to look after their children during the strike, and that seems to me very much in order. As I mentioned earlier, we're very appreciative to the employers, to businesses. They were flexible and understanding. Some even set up small day care centres at their offices or places of business so parents could bring their children to work.

This bill is also designed to protect the rights of those teachers who wanted to teach while this illegal strike was going on and is demanding that there be no reprisals, whether it be from the federations, the branches or the affiliates, that they not have any suspensions, expulsion from their job or fine or expulsion from the union, regardless of how these teachers resisted an illegal strike, whether it was for not supporting an illegal strike, whether it was for opposing proposals for an illegal strike, for not withdrawing their services from an illegal strike or crossing an illegal picket line or for even advising another teacher against resisting an illegal strike.

1840

It's very important that there be protection for teachers because I personally know of teachers who have been severely harassed following and during the strike, teachers who wanted to teach, who wanted to continue to work in a legal fashion and not go out on an illegal strike. Some of these teachers have actually had nervous breakdowns and there have been other rather traumatic things that have happened to several who did cross a picket line.

This bill is about protecting parents and about protecting children. I'm absolutely amazed and surprised that both opposition parties opposed the first reading. Normally it's just a voice vote, but they required that it be a counted vote. I'm very surprised at that. I'm very surprised at the leader of the official opposition, who made the welfare of children a cornerstone in his campaign for leadership. I also believe, if I remember correctly, that in

his victory speech he also talked about the protection and the promotion of the wellbeing of children. Yet he, leading his party, voted against the first reading of this particular bill.

The Leader of the Opposition regularly talks about social justice issues and progressive social issues. He does an awful lot of talking yes and voting no. I think that's typical of the flip-flop of that party and the previous leader of that party, and I see it's continuing. I had a lot of respect when he was a member of that party. I thought he would change the direction of the party, but unfortunately they're continuing the same road of flip-flopping back and forth.

The Liberals have criticized this government for their agenda and their ideas on education reform, but they've come forward with absolutely no suggestions whatsoever. Recently, the Leader of the Opposition was on Focus Ontario and he stated there that the education system needs reform, but did he come forward in this House with any suggestions? No, it's just so much easier to criticize; no policy whatsoever. Maybe in the next election they'll have some policy.

Then the bill's about protecting employees. The NDP has stood for looking after the workers and the labourers in this country, and what did they do when this first reading came? Forced a vote and voted against the first reading of a bill, Bill 161, that's going to protect employees. They voted against it and it's very, very hard to understand why.

I think they have a lot of answering to do to the working moms and dads of this province as to why they would vote against this particular bill. Unfortunately, the NDP has been creating all kinds of unnecessary fear and emotion and spreading myths about Bill 160. Again, they haven't offered any constructive criticism other than their grandstanding and their screaming and their yelling. Unfortunately, for the working moms and dads of this province, they voted against Bill 161.

We're into this situation because of the preceding Bill 160. Bill 160 and its predecessor are all about looking at how education should be managed and how policy should be set in this province. You'll recall that in 1969 a lot of the powers of managing and setting policy were given to the county school board system, and over the years that's been eroded away from the county school board system by the very powerful unions they've had to deal with.

Just to give you an example of the Northumberland-Clarington board that I represent, in the last settlement they increased the elementary teachers by almost \$2,000 per teacher and they bragged that was at no increase in taxes to the property owner. Then where did the dollars come from? We have phoned the board office and they will not tell us what the new pupil-teacher ratio will be. You can guess what it is. It's gone up significantly so that they could get a big increase at a time of literally zero inflation. That's why the class sizes are getting so large.

Let me tell you about the settlement the time before. The time before the secondary panel went from a pupil-teacher ratio of 14.9 to 15.2. The elementary panel went

from 16.5 to 17. When I'm in a school like Murray Centennial and they ask me why in grade 8 there are 47 students, I respond to them that the pupil-teacher ratio is 17 to 1, where are the teachers? Are they resource teachers, are they on prep time, are they vice-principals, consultants? I don't know where they are and I'm still waiting for that answer. They've negotiated away the length of day; they've shortened up the day. They've negotiated increased PA days and PD days. The latest has been allowing partisan politics into the schools since the strike has been over. They've even allowed the green ribbon campaign into schools and promoted it, although they claim that's being done by parents.

They're even wasting resources such as paper, paper with letterhead, sending it home protesting what this government's doing, with little kids in kindergarten and grade 1 proudly bringing it home to mom and dad. What a misuse of our children, using them as pawns. Then they also have the nerve to fax their messages to my office at taxpayers' expense. You would think they could at least either deliver it or send it in regular mail with their stamp, not faxing it from a school at taxpayers' expense. It identifies why it's so important that we have the principals and the vice-principals out of the union so that maybe we can get a little control of these kinds of activities within the schools.

Yesterday I thought it was quite entertaining to go into the caucus office and find a collection of green apples all addressed to various members of the caucus. These are Granny Smith apples and I thought, "Isn't that rather impressive?" They even took a magic marker and wrote a little message on the outside. If you look a little further at these apples, they're imported apples. Ontario just took off a crop of 12 million bushels and they couldn't buy a few apples from the farmers of Ontario who just happen to be the taxpayers who are supporting their salaries. They call themselves the People for Education and I expect they came in their Japanese car, wearing their Korean clothes and Italian shoes. That's probably how they got those apples here. Then they expect businesses and industry to pay taxes to support the salaries of the teachers and school boards in this province.

I think what's most unfortunate about this gift was that they had written on them with magic marker and therefore we can't even donate these apples now to the local food bank. I'm sure the member for York South would be pretty upset to hear that. This demonstrates the insensitivity of People for Education and our unions. They have no sensitivity for the apple growers. If I was an apple grower, I'd be wearing a black ribbon today because of such a terrible thing that was done to them, that the local People for Education wouldn't buy an Ontario apple. It shows insensitivity to the taxpayers of Ontario. It shows insensitivity to the children we have in this province. It shows insensitivity to parents who wanted to work and to teachers who wanted to work, and there are many examples of harassment.

For a few minutes I'd like to talk about some of the myths that we've had put before us. There have been, to

my latest count, some 33 myths that the opposition and the unions have tried to promote throughout this province.

The leader of the third party stood in this House and actually said that there's no mention of "student" in Bill 160 and this is why we had to bring in Bill 161 afterwards. But lo and behold, what's in the bill? It mentions "pupil" 244 times, but he had the nerve to suggest it didn't mention "student." That's the kind of silly emotion and rhetoric that's been spread across this province.

Mr Gary J. Guzzo (Ottawa-Rideau): Bob Rae wouldn't have done that.

1850

Mr Galt: That's right. That's when they had a leader. They had a leader who understood how to run it, and that was a leader who looked at the social contract.

They've also spread the myth about the power to fire and prosecute school board staff and trustees. In connection with trustees, it's been in the Municipal Act since 1935; we're just moving the same thing over and getting some control over the budgets and how they operate. If they're going into a great big deficit, then we can step in and do something. Certainly there's nothing there about firing a trustee.

Also they talk about firing teachers. Well, they're unionized, and you know how difficult it is to get rid of anybody who's in a union. They have all kinds of protection and they can negotiate just cause. Certainly there are provincial schools run by the province and the minister should have the right to fire teachers in those particular circumstances.

There has been a lot of talk about increasing class size because of this bill. But we have responded and we're putting right into the bill the maximum average class size that a school board can have. I don't know how much further you could take it than that, but they're still talking about this massive increase of class size.

They talk about refusing to give students a voice. In this bill, we're having students sit on the local school board and also on all the secondary school councils.

They talk about the loss of some 10,000 teachers. That is totally ridiculous. The number of teachers that will be employed will depend upon the local school board and how many it needs. There's nothing in this bill whatsoever that would suggest there are some 10,000 teachers going to be laid off. Yes, we're suggesting that we will have the secondary teachers work the same amount of instructional time as the average across Canada. It will increase, on the average, about a half-hour. But I think it's only fair that they should have the same instructional time as the average across Canada. That may mean we'll require a few less teachers in the secondary panel, but with attrition I don't see that this will be any problem whatsoever, especially when we put a quarter of a million dollars into the pension fund in our budget last spring if they would move to an 85 factor for teachers to retire. I know a very large number of teachers would like to do just that very thing. However, there has been resistance from the union. They don't see it that way, and that's most unfortunate.

In conclusion, this is a very important bill for this government, particularly with what has happened following Bill 160 and the strike that occurred during second reading and as we moved into hearings on that particular bill. As Ontarians, we're getting very tired of listening to the opposition criticize when in fact there's quite a consensus out there that education reform is needed. This bill is very important to help families who have been disrupted because of the strike and to compensate them for some of the problems that have occurred. Bill 161 is about fairness to parents, about fairness to employees with children and about fairness to teachers who wanted to teach during an illegal strike. I'm extremely pleased to be able to support Bill 161, the Fairness for Parents and Employees Act.

The Acting Speaker: Comments and questions?

Mr Rick Bartolucci (Sudbury): In a very short period of time, the member for Northumberland has insulted and really angered the Japanese community and the Italian community; I'm sure he angered the trustees, the parents, the students and the teachers in Northumberland. I want to congratulate him. I think in 15 minutes he angered more people than anyone has ever even attempted to anger in a short period of time. But I can't understand what the logic of his presentation was. He doesn't seem to get it. Bill 161 is the product of Bill 160. This government caused Bill 160 to take place. They caused the political process to take place. Nobody else did it.

That's why the members on the other side are getting these — "Don't Count on My Vote." This one is going to Mike Harris. It says, "Here's why you can't count" —

The Acting Speaker: Order. You're well aware of the rules. You make them; please go by them.

Mr Bartolucci: The postcard says, "Here's why I'm not voting for you, Mike Harris: I'm not voting for you because you wouldn't listen to my concerns on education; you wouldn't listen to my concerns about protecting my child's ability to have a quality public education system; you wouldn't listen to me when I tried to e-mail you. Why? Why, Mike Harris, are you not listening to me?"

I'll end off by reading what Neil Simmie said: "As an educator who decided to remain at work during the recent political protest, I wish to state my opposition to Bill 160. I wish that you would oppose Bill 160 entirely. Thank you for your time. Neil Simmie." That's the way people are thinking even if they did walk across the line and not join the political protest.

Interjections.

The Acting Speaker: Order. The heckling since supper has got out of hand. I want to warn you that if you feel it necessary to do that, go for a walk.

Mr Gilles Bisson (Cochrane South): I'd be more concerned with what the Tories had for supper if I was more generous in mind. I've got to say that the member for Northumberland makes the case. We've listened intently, we've listened day after day after day after day as the Minister of Education and the Premier of this province have stood in this House and said: "We're not against teachers. We don't have a problem with teachers. They're valued members of our society. They do such a wonderful

job." As was mentioned earlier, the member for Northumberland got up in the House just now for 20 minutes and bashed about everybody in education, centred around teachers. Basically, what was he saying? Teachers are overpaid. That's what he was saying. He was blaming teachers and their pay for absolutely everything that's inside the school system.

I think most people understand what this government is up to. Bill 160 and its companion bill, Bill 161, are about what? They're about taking \$1 billion out of education and taking control from the local, elected school board officials and having it reside directly in the minister's hands so that the Minister of Education and the Premier of this province can make the decisions they want around education.

The other thing I took great exception to is that the member for Northumberland said: "You know, we've been consulting. This issue has been consulted on since the 1950s." No government in the history of Ontario — Conservative, Liberal or New Democrat — up to this point ever decided to try to consult on the issue the way these guys are trying to do it, because no government in the past would have said, "We're going to take \$1 billion out of education, and we're going to centre the control of education in the minister's office." These people have not consulted on this bill and that's why people are mad.

I would just muse for one second and try to remember where the member for Northumberland was some two and a half years ago on this night. He had his arm deep in a cow's centre, working and doing his job. I would expect that's exactly where this particular speech and where this member's mind is when it comes to the issue of education.

Mr Ron Johnson (Brantford): It's obviously no surprise that that kind of comment would come from the member for Cochrane South. I'm going to focus on the member for Northumberland's comments. I want to congratulate him for what were obviously very insightful comments about Bill 161. I appreciate those remarks here. As well, I'd congratulate the minister because Bill 161 is highly appropriate, quite frankly.

I hear the member for Sudbury talking about a political protest, not calling it what it really was. We all know what it really was. It was an illegal strike. You know it and your constituents know it. I've got to tell you something else: The leader of your party, who protested on the picket line in an illegal strike, was incredibly irresponsible; your caucus knows it and the people of Ontario know it as well.

Bill 161 is going to focus on fairness. It's fairness to the parents, it's fairness to the students and it's fairness to teachers who wanted to go to work but in many ways couldn't. In fact, some did cross the line; I know in Brantford they did. It's about fairness. I'm pleased to be part of a government that's going to focus on fairness, focus on the needs of parents after what was obviously an illegal strike. To be quite frank —

Mr Frank Klees (York-Mackenzie): No, I'm Frank.

Mr Ron Johnson: Oh, there's Frank there — I wouldn't have thought in a million years that the leader of the official opposition would condone such a province-

wide illegal action, and I'm certainly disappointed that he would do that.

As I say, this is about fairness. The \$40 a day to families is incredibly important to the people in Brantford, those who never planned on having to face that kind of expense of added day care costs. I want to congratulate the member for Northumberland for his insightful remarks.

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Mr Frank Miclash (Kenora): As the previous speaker indicated, the member for Northumberland has certainly angered a good number of people, people who were initially angered by the comments made by the former Minister of Education, the present Minister of Education and of course the Premier himself. What the member has done here tonight is drive that knife in just a little bit further in his comments regarding what the teachers were doing for education in this province and what they were doing to bring forth an agenda to a government that would not listen and has shown throughout not only that performance but the performance over the last two years that they refuse to listen.

By coming forth now with this bribery, as I would call it, to bribe the parents of the students who need funding to care for their children, at this point is just an out-and-out bribe. I think a lot of people are seeing that. As they saw what those teachers were doing out there during their protest to show what was going to happen to education, now they see this government coming back and saying, "Okay, we're going to bribe you, but we're not going to bribe you with our money; we're going to bribe you with the money of the boards of education." They're passing on to the boards the authority to pay the \$40 and the boards actually have to pay that out. The rules around it are very unclear. We've been told that no receipts are needed, anybody can apply for their \$40 and not need to provide any proof at all.

To the member for Northumberland, I think as you spoke your polls may have just dropped a little bit more, being that you've upset a great number of people in this province in those 20 minutes.

The Acting Speaker: The Chair recognizes the member for Northumberland for a two-minute response.

Mr Galt: Thank you very much, Mr Speaker, for a chance to respond to some of the comments. I was quite surprised the member for Sudbury still doesn't understand the rules of this House. I gather if he doesn't understand those rules, his comments really don't bear very much weight.

Like yourself, I just talked with a principal last Saturday. He was from western Ontario. I told him I wouldn't let out what community he was from. I didn't know him prior to that meeting at all. He walked up to me after we had both been on the same program speaking and said: "Doug, the principals should be out of the union. The vice-principals should be out. You're doing absolutely the right thing and I'm fully supportive of Bill 160." Then he thumped me on the chest and said, "Whatever you do, don't let people in my area know." He was really upset

that it might get back to his community. That's a principal in a high school just like yours.

The comments of the member for Cochrane South: The member talks about insulting teachers. I was not attacking teachers; I was attacking their union and their organization. You go through Hansard tomorrow and have a look. It was the unions I was referring to, not teachers. If there was any confusion, I'm pleased you brought it to my attention so I can clarify it.

Thanks very much to the member for Brantford for his kind comments about an illegal strike. It's a bill that is all about fairness; he's right on that it's a bill about fairness.

The member for Kenora was making some reference to insults that I may have made. Again, I was talking about the organization and I was talking about facts. If facts happen to hurt, that's unfortunate. It certainly was not directed at any particular individual; it was indeed directed towards the union.

I take it as a real insult on behalf of our party that you would refer to this as a bribe. That is a real insult. You don't understand the situation at all. If you have children, I wouldn't be surprised if you apply for that reimbursement of the cost you ended up having to spend, which really was most unfortunate.

The Acting Speaker: Further debate?

Mr Richard Patten (Ottawa Centre): I'm pleased to participate in this evening's debate on Bill 161. I would like to make an opening comment related to the debate we just had, some of the comments of the member for Northumberland, who continued to argue vehemently for the actions of the teachers, their political protest, as being an illegal strike. I guess we could argue this back and forth all evening.

I would make one reference. That is that the judge who heard the case presented by the government in terms of the injunction said that the action of the teachers was a political protest because the action was not against their employers — their employers, of course, are the school boards — and therefore declared that it was not an illegal strike, it was a political protest. That's what he said.

Mr Guzzo: Who read the judgement, your wife? Come on, she's a teacher — conflict of interest.

Mr Patten: The judge is going bananas over there.

The Acting Speaker: I mentioned it once and I mention it again: I'm a very patient person sometimes, but I did want to mention to a couple of you, and you know who you are, don't make me lose my patience, please.

Mr Patten: Well said, Mr Speaker.

When I was preparing my remarks for this evening, I listened very carefully to the words of our leader, and that's not Mike Harris, that's Dalton McGuinty. I want to quote what he has to say just in part, because I thought it was succinct in relation to it. He says what the government's trying to do with this bill is transparent. It's "a cynical attempt to buy favour with parents, who are extremely concerned about what's happening to education in Ontario. It's nothing more than that. Apparently they're going to come up with \$40 a day for babysitting costs in order to reimburse parents."

Fine, but: "These are the real questions that parents are asking: How are they going to reimburse their kids for the loss of special education services since this government has been making cuts to those programs? How are they going to reimburse the 60,000 Ontario four-year-olds who have been deprived of junior kindergarten since the government stepped into power? How are they going to reimburse kids who have been deprived of the services of speech pathologists, school psychologists, librarians, ESL teachers? How are they going to help kids who are in those classrooms today where they don't even have books sufficient to meet their needs?"

If the government is really concerned about being fair to parents, then why isn't the government concerned all the time about helping families to find child care spaces for those who need them or arrangements for children as both parents or single parents have to go out to work? If the government is really concerned about being fair to parents and if children really are, as the minister has said, "our hope and dreams for the future" — and we share that view — if they're really responsive to our children's claims, then why does the government continue to take money out of the system?

Why is the minister being so punitive to teachers in this legislation with the prohibition on teachers' unions taking reprisals against any of their members who refuse to participate or who counselled or assisted others in not participating in the strike, when everyone knows that the teachers' federations said there would be no reprisals against anyone who did not participate in the province-wide protest which took place at schools across the province?

Mr Ron Johnson: Do you believe that?

Mr Patten: Yes, I do believe that. It seems to me that the bill adds a little bit of an insult to teachers and to teachers' federations. If the government was sincerely interested in protecting the rights and the interests of children and families and employees, as the minister said in his statement when he so hastily introduced this bill last week, he might instead consider some comprehensive policies to assist working families in this province.

The bill that we're debating is this bill. It's nine pages. As has already been said, it's really a compendium or a sister bill to Bill 160, which stimulated of course the reaction of this particular bill. The real root of this bill lies in Bill 160, and what I would like to start with this evening are some comments related to the backdrop of funding as it exists, and resources as they exist, in the school system today.

I was at the hearings for Bill 160 in Ottawa. The PA, the member for Middlesex, made the statement that this government claims it spends more money on education than ever before, and it says it spends more money than any other jurisdiction in all of Canada. Of course it spends more money than any other jurisdiction. We have a bigger population.

Interjection.

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Mr Patten: No, we do not. The member across says, "Per capita." We do not. We're in fifth place.

I would like to give a bit of a backdrop. When that statement was made I asked the PA if he would kindly table the information based on those comments, and he did. He gave me a statement from the Ministry of Education and Training, and I found it quite revealing. What I would like to suggest to you is that when the government says that with these administrative streamlining costs the waste can be taken out of the system, there are a lot of costs that have been absorbed by school boards that the minister never mentions.

The minister never mentions, for example, the cost of the social contract, which was not started by you, it was started by the NDP; we know that. The school boards had budgeted on that money being returned to them. They had to absorb that. That was worth \$425 million. Those are true losses that had to be absorbed.

We also had, for example, in 1995-96, the cuts that were in, \$533 million. Then of course —

Mr Ron Johnson: Again, taxes went up.

Mr Patten: Mr Speaker, would you ask that young fellow over there if he would please pipe down.

Interjection.

Mr Patten: These facts are from the Ministry of Education. They're from your government. So if you want to take issue with them, then take issue with your own government.

Over the last five years the student enrolment has gone up 86,000 students throughout Ontario. Over the last decade they've increased by 250,000. As you know, the school boards cannot turn away a student; they can't turn away a child. They're entitled to universal education. They have to take that in. But was there any consideration in the budgets for that over the last period of time? No. So there's a very conservative small-c figure of \$350 million to \$400 million in costs that had to be absorbed by school boards.

I point this out because all these costs that add up and push the boards to the wall suggest that they've had already within their own budgets each year to absorb tremendous costs. Then of course on top of that we have the estimated costs of \$350 million to \$500 million — I'll take the lower figure, \$350 million — for the amalgamation and transition costs of the amalgamation of various school boards and the restructuring. Then of course for 1998 there's a proposed \$667-million cut again. When you add up all of these figures, we're talking about a net loss in excess of \$2.3 billion to \$2.5 billion to the school system.

I put these figures out and if some members feel that they're not correct because they're from the Ministry of Education and Training, that their figures are not correct, then I would be happy to ask them to give me the figures that are accurate. I have some questions about, for example, the growth from 1996 to 1997 in numbers of pupils. They usually go up 15,000 to 20,000, sometimes over that, each year. From 1996 to 1997 they went up a little over

1,000. I find that incredible; I think there's probably an error in there. But I took that figure, accepted it, and I put that out to you, saying that it represents in excess of \$350 million to \$400 million of absorptive costs that school boards have had to take on. Those are the silent cuts and the school boards absorb these particular costs.

I'd ask my friends if they would consider this as a reality and when they make statements that the boards are fat and that the boards have all kinds of waste that can be done, then I would challenge them and ask where they are going to reduce them.

I've had a chance to be on a panel in my particular riding or in Ottawa or parts of eastern Ontario. I've been at three at the moment, other than people who have called in or faxed in letters or have written letters or e-mailed. One of the things I find interesting when I start off is I ask them, "Who said this?" and I quote, "I shudder to think what would happen to education if control fell into the hands of the government."

Mr James J. Bradley (St Catharines): Mike Harris.

Mr Patten: You see, my friend from St Catharines is so wise he knew. This was Mike Harris when he was president of the Northern Ontario School Trustees' Association. He felt quite differently at the time. He would shudder to think what would happen to education. I agree with the Premier on that statement, except he doesn't apparently feel the same way today.

I would also like to share a few comments by some reputable people. You may have —

Interjection.

The Acting Speaker: Member for Brantford, come to order.

Mr Patten: Some of you may have heard a debate recently on TVO with former Deputy Minister of Education Charles Pascal, who was a highly regarded and highly respected Deputy Minister of Education, I think universally by all sides of the House and by all parties.

His read of Bill 160 — and I offer these divergent points of view because I think it's important that the people of Ontario, the hundreds of thousands who are watching this debate, indeed hear from the points of view of a variety of people in different fields. Mr Pascal of course isn't the deputy minister any more and he heads up a reputable organization, but he says, "Bill 160 has been exposed as a purely fiscal issue that has nothing to do with improving the quality of the school system." Contrary to what education minister Dave Johnson says, he says: "There is no educational reform in the bill. If the minister were Pinocchio, he couldn't fit his nose into a limousine."

Mr Bradley: Who said that?

Mr Patten: That's what Pascal added, much to the laughter of the people present. "You don't reform a system by gutting it," he says. He goes on to share some other perspectives on this. For those of you who haven't seen the TVO debates, you might be interested. There are copies around in the library that might be of interest.

I would also like to address one of the myths that I feel disheartened about in hearing some of the ministers talk about how poorly our Canadian students are doing. That's

not to say of course that we can't do better. I think members on all sides of the House would agree that we always must look at where and how we can improve the quality of education and the results of testing of our students, no matter what. I don't think we would ever reach perfection, but there's always that to do. But there are those who say our system is not quite as bad as it's made out to be.

Mr Bradley: The Premier says it's great when he's in Europe.

Mr Patten: Sometimes the Premier says it's great when he's in Europe, but other times it's not so great when he's here and in debate.

The education reforms: Mr Robitaille, head of curriculum studies at UBC, acted as coordinator for the third international mathematics and science studies. He says that the nature of the reforms that are here today will not raise the test scores, as he understands it. The particular study that he referred to says that the study which examined the performance of Canadian students at three levels compared with that of students in four other countries prompted criticism of Canada's classrooms, but Mr Robitaille said that, while there was room for improvement in some areas, Canada is doing well in others.

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At a Royal Society of Canada symposium entitled the wellbeing of Canada, Mr Robitaille asserted "Education is a familiar whipping boy of the press, especially when the Premier of Ontario is beating up on teachers." The symposium, which was held in Ottawa, attracted top academics from across the country. They examined the health care in five countries, they examined education etc.

"But some indicators contradicted," he said, "the doom-and-gloom portrayal of Canadian classrooms. For example, Canadian students did relatively better in this round of testing than they did in a similar mass study about 15 years ago. As well, there was no difference in the achievement of Canadian boys and girls," a big difference from what was happening 15 years ago, "and Canadian students felt good about math and science, while Japanese and Korean students performed better but had more negative ideas about how they were doing in their particular subjects."

Then it goes on to say that while Japan, Korea and Singapore, Austria and the Czech Republic did better than students in many countries, Canada did better than Norway, Britain, Germany and New Zealand. Is that good enough? Of course it isn't and we have to do better. But I just try to share that view in terms of that particular perspective.

For those who choose not to listen to the comments that are made in terms of phone calls in your riding offices, and I say this to all members, I must say to you that the first two days of the teachers' protest the phone calls that I was getting were about two to one in favour of the government position. That was true. Then, as the protest went on for a week or so, 10 days later, there was an enormous reversal. It was about eight or nine to one in favour of the teachers or against Bill 160.

The point I think this illustrates is that while the government would choose to limit the opposition in its ability to cause the government to stall for a time on significant bills, it points out that in our style of so-called democracy, which I fear we have lost, that had the teachers not taken the actions they had, the public would not be as aware, the media would not be as aware and many people would not be as aware of what was the true significance and the implications in the full dimensions of Bill 160, and therefore it's important now.

I also want to share with you — and I know that the government will have these polls too, but just in a tiny summation taken from Pollara poll, 90% of Ontarians are concerned about the quality of education, more than before; 69% have not been impressed with Mike Harris's handling of education; 52% believe that the quality of education has decreased since Mike Harris took office; 74% feel that the quality of health care has also decreased; 47% feel that the quality of education will decrease over the next 12 months, and that was before Mike Harris admitted that he was cutting \$667 million out of the budget.

I would like to share a view from a person by the name of Andrew Brodie who wrote in and said, "...Bill 160 reads that any trustee of a board of education who disagrees with an order of the Minister of Education regarding the allocation of funds and expresses a disagreement in a vote can be removed from office at the behest of the minister, be disqualified for five years from holding any office in which elections are held under the Municipal Act, 1996, or under Bill 160 and, furthermore, is liable for court costs."

What he's attempting to say is that he's concerned about democracy. I have literally hundreds of letters that have come to me from people who are worried about democracy, and they well should be because we've lost some democratic opportunities through Bill 26 and we will lose some democratic opportunities for people and members under Bill 160. I see my time is up, Mr Speaker. Thank you.

The Acting Speaker (Mr Gilles E. Morin): Questions or comments?

Mr Gilles Pouliot (Lake Nipigon): With respect, not so quick, Speaker. We don't have a quorum. I trust it is the responsibility of the 82 members who represent government to at least have enough people here. Would you kindly —

The Acting Speaker: No, you made your point. A speech is not necessary.

Mr Pouliot: Quorum call.

The Acting Speaker: Would you please check if there is quorum.

Clerk Assistant (Ms Deborah Deller): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker: Questions or comments?

Mr Pouliot: As always, I've enjoyed the very factual and very timely, current remarks of my friend and

colleague from Ottawa Centre regarding both Bill 160 and Bill 161. He's correct when he mentions Bill 161, that's the kind of guilt trip that the government has endeavoured after Bill 160. Even they must have felt very guilty, so they've used the proverbial 30 pieces of silver, the kind of blood money to buy favours, to buy the love back from the populace. That money comes from the children. It comes from the school boards, it comes from the pockets of those women, those men who are teachers. It's called a bribe, and all you have to do is write your name on a ticket and hope that one of them picks it and then you will have your \$40, la payola, and then they will tax you to death.

Let me tell you, at the same time Marlene Fraser from our Lady of Lourdes, Manitouwadge, this is what she has to deal with. She needs the \$40 a day for chalk. Peter Scofield —

Mr Peter Kormos (Welland-Thorold): It's broken.

Mr Pouliot: It's broken, indeed. This is the limit —

Interjection.

Mr Pouliot: Oh yes, \$40 for the populace, to lure people in, to seduce them, but you don't have a pencil to write with. If you're Miss Turner from the Manitouwadge public school whose mother and father are on general assistance —

The Acting Speaker: Thank you.

Mr Pouliot: So I say, Mr Speaker, this is the bill. This is what they should do with it. Give it to the people for school supplies.

The Acting Speaker: I would like to say to the member for Lake Nipigon, this type of conduct is totally out of order and not acceptable. We don't throw objects in the House. We don't expect that from any members of Parliament, and I would ask you to come and pick up your item. Come and pick it up.

Interjections.

The Acting Speaker: Order. I'm not finished. I would ask you for an apology also, please.

Mr Pouliot: On behalf of the good people I represent, maybe I've gone a little overboard and emotions got the best of me. I'm the victim of my own honesty and I apologize, Mr Speaker.

The Acting Speaker: Further questions or comments?
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Mr Ed Doyle (Wentworth East): I want to comment on a few of the things that were said. First of all, there was a comment early in the member opposite's remarks saying that a judge had ruled this was not an illegal strike. The judge had no such ruling when he ruled on the injunction. There was an injunction applied for by the government on the basis that if the strike continued, there would be irreparable damage. He ruled only that there was no irreparable damage and made no ruling whatsoever on an illegal strike.

The fact is that everybody in this province knows this was an illegal strike. I think Mr McGuinty is going to have to live with that fact: This was an illegal strike. He'll have to live with that fact, despite the fact that a few years earlier he had a private member's bill saying teachers shouldn't even be allowed to strike legally. I guess maybe

he feels they can strike illegally but not legally. He'll have to live with that, in any case.

People say we provoked this so-called protest; we call it an illegal strike. We didn't provoke anything. We're passing a piece of legislation. Perhaps there was a lot of bad reaction to it because of a lot of the myths that exist. Let's talk about some of these myths that exist.

First of all, the government wants the unilateral power to close schools. It's absolutely incorrect. The government will introduce a new approach to funding that for the first time would fairly fund schools, fairly fund school maintenance and construction based on the real needs of students attending school. The government does not have unilateral power to permanently close a school.

Another myth: The government wants the power to fund private schooling through vouchers and to create so-called charter schools. Charter schools aren't even mentioned in that bill. We're not going to be bringing in charter schools.

Mr Bradley: That last statement will be one that will be remembered in this House because I think there isn't anybody who doesn't know that among the Conservative caucus there are many who in fact want to see charter schools in this province and would openly say so. I would be very surprised if that were not the case, not the agenda behind this.

I'm glad the member gave a speech which reflected the truth about the funding model in this province. We haven't seen the final funding model, but he has the facts and figures which he has gleaned from the Ministry of Education. If others want to find some interesting information about this government and the bills it's bringing forward, they should read a book called *The Promised Land: Inside the Mike Harris Revolution*. This book is written by John Ibbotson who is with Southam News Services. It's available at your local bookstore and it is Prentice Hall Canada. It would make a good gift for the holiday season because there are many people who compliment the book on the back. There are some other books out today — I'll talk about those perhaps later on in the evening — about the Harris government that bring you an inside —

I know the member is worried that when he hears members get up to speak, he's really hearing Guy Giorno. He's seeing certain members, such as my friend from Wentworth, get up but he seems to think that perhaps it's Guy Giorno who is speaking. That is what I and my colleague are worried about, that instead of getting up and giving their own views on education, as we hope they would, they have a script which is written by Guy Giorno. I can't think of what riding Guy Giorno was elected in, or any of the other whiz kids who run this government. I'm sure my friend the Solicitor General in his heart of hearts must wonder about that as well.

Mr Kormos: One has to marvel at the constantly changing nature of the responses from these government backbenchers. They've been scripted. They've got their little cheater notes. They've received their marching orders. They know what the consequences are. The consequences are to lose some of the perks, some of the luxuries

that attach to being a PA or a Chair of a committee or a Vice-Chair.

Interjections.

Mr Kormos: In the caucus meeting. We were there, we heard it. It was: "Stick with me. Now's not the time to start cracking, guys. Now's the time to stick together because we ram this 160 through and Bill 152 and 142 in three successive days, we ram it through and we're two weeks before Christmas. Then we're going to have a two- or three-month hiatus and things will cool down out there. Don't worry if we keep up this line about the unions and the union bosses. Hang with me, guys, we're going to be okay."

Well, you've been led down the garden pathway by your Premier. You've been set up. The question to be asked, and of course it's improper, is, where has the Premier been? How come you guys are here taking the heat for him? How come Mike Harris ain't here taking the heat? How come he can be long gone, out of town, out of sight, out of sound, out of view of the public, and he sends you guys out to take the heat? For Pete's sake, you're not paid enough for that. You're selling your souls and you're compromising your principles for a Premier who can't and won't take the heat for his own actions. You're reading your cheater notes. It looks like it; it sounds like it. There isn't a person in this province who doesn't understand the scam you guys are trying to pull off. They know what you're doing.

The Acting Speaker: The member for Ottawa Centre, you have two minutes to reply.

Mr Patten: I'd like to thank the member for Lake Nipigon for his initial eloquent statement and his flamboyant manner of making his point. I understand that Mrs Bartolucci, who is not a member of the House but is related to a member of the House, is a teacher and she doesn't have one of those staff lines.

Mr Kormos: It's broken.

Mr Patten: I know. In spite of it being broken, she doesn't even have one.

The member for Wentworth East: I would like to correct the record. He referred to the leader of our party as saying that he'd ban strikes. He did not. He suggested that there be a limit on the time a strike may go on. I think the record should be straightened out.

But I would like to ask him, if the government is so honest, why is it that at this stage we have not yet seen the funding formula? One can only come to the conclusion that because it is not part of the bill or it is not at least introduced at the same time as the bill, one might not be able to answer the cynics who say, "Because it ain't going to be so good." I suspect that's what's going to happen.

There will probably be more equality of funding, but I suspect there will be less for everybody all the way around. It will not be an improvement of resources, it will be less, and the vehicles that are there are going to provide the government with a way in which to garner, to control resources, to retrieve resources, to take money right out of education and to limit the degree of participation from school boards, from teachers, from students and from

members of this House on all sides. I think that's a sad thing.

I refer the book *The Promised Land* by Mr John Ibbison to anyone who would like an insight into the way in which this government operates.

The Acting Speaker: Further debate?

Mr Bisson: I'd ask for unanimous consent for me to go 10 minutes and for Mr Pouliot to take my 20 minutes on the next rotation.

The Acting Speaker: Unanimous consent? No.

Mr Bisson: Okay, I guess I get the 20 minutes. Tough luck, Gilles. I've always wanted to say that.

Bill 161 is an interesting bill. I want to start off my presentation on Bill 161 by starting off with Roget's Thesaurus, the new thesaurus, third edition. In it, you find the words "fix, graft, payola, payoff, grease someone's palm" as definitions of a word that is defined as "anything given or serving to persuade to induce somebody to do something" or "any valuable consideration given or promised for corrupt behaviour in the performance of official or public duty." It is called a bribe. That's what this bill is.

The government members of this House have brought forward this bill because they have to do some damage control. As a government they introduced Bill 160, which does a whole bunch of stuff in order to, first of all, take over \$1 billion out of education; and second, concentrate the powers that are presently residing with local school boards in our municipalities in the hands of the cabinet of Ontario.

The government started out on this project and they thought: "We can do this. We can get away with it. The public aren't going to really care, because we're going to direct all our anger towards the teachers. We're going to make the teachers the fall guys for everything that's going on in the education system, and then somehow or other we're going to be able to get away with what we're doing and nobody will notice, because we're going to be so busy beating up on teachers and talking about how bad they are and how overpaid they are and how they don't want to accept change, that everyone will be listening to our buzzwords that we use as a government." They were going to be able to do the kinds of changes they wanted. It didn't quite happen that way.

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The government introduced the bill with that plan and what happened was that the people of the province of Ontario read Bill 160 — not everybody, but a good number of them. The columnists read Bill 160, members of the opposition read Bill 160, school trustees, students, teachers and others, and they found out what this bill was all about and they got upset. Finally the teachers of Ontario said, "We have to take political action." For the first time in the history of the province teachers went out on a political protest against what was a political act on the part of this government. To do what? To bring attention to what this government was doing. That they did, and I think quite successfully, because for two weeks, as the political protest was going on, people started realizing what this

government was all about and what this government was going to do in education.

People started to understand. The government wanted to take over \$1 billion out of education. How? They had already taken close to \$800 million out of education since 1995, and according to the government's own document, a performance contract that was leaked by Howard Hampton, the leader of the NDP, we learned that the government put, by way of a performance contract to the Deputy Minister of Education, a clause that said if she was successful in taking roughly \$670 million out of the system of education, she would get a bonus.

So \$800 million plus \$670 million is over \$1 billion, and that's what this government is doing. By way of Bill 26, by way of Bill 160 and by way of the bill that reforms the school boards as far as making them larger, and by way of action of the cabinet, this government is taking over \$1 billion out of education. They are also going to take the control, the decision-making powers that are now residing with local boards, where parents have influence in their communities, away from local communities and put them directly in the hands of the cabinet of Ontario. Why? Because this government quite frankly doesn't trust trustees and doesn't trust boards, in the words of the government itself.

This government had a problem. The teachers went out on a political protest, people started looking at what the government was up to and the government realized it had a political problem. It wasn't just teachers who were upset; the public, the parents, the students, the trustees, municipal aldermen, the clergy, all kinds of people were upset about what this government was doing in education and they decided they had to do something about it. They had to try to find some way of getting to the public and trying to do some damage control around what they had done with bill 160.

They came up with this brainy idea. They said, "We can say the reason that people are going to lose all of their day care arrangements..." because they've used schools as a day care arrangement, I guess. They were going to give any parent who applied with a child under the age of 13, according to the rules of the minister, 40 bucks a day per family for the duration of the two weeks that the political protest went on.

That's what this bill is all about. Bill 161 is about trying to buy the favour of the people of Ontario. That's what this bill is all about. It's a cynical attempt on the part of the government to buy the favour of the public because they've done a bad deed when it comes to education. The government may get upset that we put it in those terms, but that's exactly what this is all about.

I say to the members across the way, if you're wondering why the public of Ontario is upset at you and you're wondering why you're getting phone calls by the hundreds in your constituency offices and you're wondering why your faxes are lit up all the time and you're wondering why people are dropping by your constituency office or calling you, it's because they're upset. They're

looking at what you're doing in education and they're saying, "We're worried."

This from a government that campaigned in 1995 under the Common Sense Revolution, under the leadership of Mike Harris, who said what? "We will not cut one cent from education when it comes to the dollars spent in the classroom." That's what they said in the Common Sense Revolution. Then they've got the gall to come into this House and say, "We're holding our promises." They're not holding their promises, because when you go into the classrooms across the province, what do you find? You're finding larger class sizes because of the cuts that have been done up to now, you're finding that programs are being cut in school boards, and that is the truth. They can't run away from this, these Reform Tories. Programs are being cut across this province — everything from junior kindergarten to adult education programs to other programs that are necessary when it comes to arts and sciences in the province. Why? Because the government has taken over \$800 million out of the education system up to now.

The government tries to play with these figures. During the political protest, the government held a hurried press conference. They called the Minister of Finance and others to explain and show on graphs and charts that they were spending more money on education than ever before. But the media went there and said: "Hang on a second. You guys are fudging the numbers. You guys are playing with the books. You're not talking about what is really happening with education." They were trying to count new expenditures, the money they have to give as an employer to the teachers' pension plan, the increase. Plus, if you remember, the government froze capital spending on new school construction for the first year and a half that it was government, and now, at this particular time, are starting to reinvest money back into our schools. They're trying to talk about that as an increase. It's not a question of increase. We have less money going into our classes.

We're seeing in the community of Timmins the kinds of effects that could have. For example, what did the government do when they first got elected? One of the first things they did in education was they went to the Timmins Board of Education, they went to the Roman Catholic separate school board of the city of Timmins and to other boards across the province and said, "We will not pay for adult education, we will not pay for junior kindergarten and we will not pay for a whole bunch of other educational programs" that they see as frivolous. Now we're seeing the effects of that.

What we have is a government that has a view of education that is backwards, that is from 40 years ago, that doesn't look forward and doesn't look at the reality of today. My God, we have the Premier of the province of Ontario — I believe it was the Premier; correct me if I'm wrong; if it wasn't the Premier, it was the former Minister of Education — who in musing in a press conference said: "I don't see what's good in teaching people geography and history. What does that have to do with anything?" My God, a member of the cabinet — I can't remember if it

was the Premier or the former minister. It was the Premier of Ontario who stands at a press conference and muses about how geography and history are lessons that we should not be teaching in our classrooms. My God, can you believe that?

Maybe this government believes that nobody should learn from what has happened in the past. Maybe they believe we should all forget what happened before and only fixate on what the government is doing today. I don't know what to believe, but it's preposterous for this government to have those kinds of views and for the Premier of this province to make the kinds of comments he has done now.

What is Bill 161 about? Pure and simple, it's about damage control. The teachers and the parents and the trustees, and the Catholic Church in some cases and other Christian churches, and a whole bunch of other people, along with students, banded together and said: "Which way can we slow this government down? Which way are we able to make amendments to Bill 160 or have it withdrawn?" They thought, "We're going to put pressure on the backbenchers of the government." That strategy was working, somewhat. We were seeing different members, like the member for Grey-Owen Sound and the member for Hamilton Mountain and the member for Etobicoke-Lakeshore all of a sudden talking out loud about how they were having problems with this bill and giving indications that they might vote against it.

They gathered all those people together in caucus and they scared the bejesus out of them. They told them: "If you don't listen and if you don't follow what your whip is telling you to do and you don't follow the direction of the Premier of Ontario, this, this, this and that will happen to you. Do not step out of line." They came down heavily on these people and didn't allow them to do what they were elected to do, and that is to stand up and represent the people of their riding.

I came from a government where between 1990 and 1995 a number of times members of our government voted against government initiatives. We didn't see that as a weakness; we saw that as members having the decency to represent their ridings. Not everybody in the caucus agrees when it comes to a particular issue. On the social contract we had a number of members, I think about 10, who voted against; on the casino, we had members who voted against; on a number of different initiatives, because we believe as the New Democratic Party that it's important, yes, that we band together in a caucus of social democrats, but also have the ability as members to express our opinions and express, more importantly, the views of the people who elected us on an issue of conscience. But this government caucus of Tories doesn't believe that. They talk about free votes and: "We're all individuals and we do the right thing. We represent our constituents and, oh yeah, we're really good at it."

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They've been whipped. The whip has gone over and cracked the discipline on to those particular members. That's what has happened. It's because of this that we're

seeing members musing about voting now. I don't even want to get into what they did in order to get them to that point. It's a pretty sad thing when we have the government moving in the direction they are when it comes to public education.

L'éducation comme on la connaît est quelque chose qui est très important, pas pour aujourd'hui seulement mais pour l'avenir. Les élèves de l'Ontario ont besoin de savoir que le meilleur système d'éducation est à leur disponibilité. Ils ont besoin de savoir que, quand ils entrent à la première année et qu'ils ressortent à la fin de la douzième ou de la treizième année, puis ils s'en vont au collège ou à l'université, ils ont fait partie d'un système d'éducation qui a aidé à bâtir la connaissance nécessaire pour être capable de s'établir dans le marché de demain.

Le gouvernement de l'Ontario a une responsabilité de s'assurer que le système d'éducation n'est pas un système où on fait des retraites, mais un système d'éducation où on regarde vers l'avenir, qu'on essaie de bâtir un système d'éducation qui est plus fort. Moi, ce qui me bouleverse vraiment avec ce gouvernement, c'est voir à première main les attitudes de ce gouvernement envers l'éducation, et deuxièmement leurs actions. Quand ça vient à l'attitude, on a vu membre après membre du gouvernement, après le premier ministre, après des membres du cabinet, faire des commentaires sur l'éducation qui sont totalement négatifs.

Ils essayent de faire croire au monde que le système d'éducation est brisé, qu'il ne marche pas, qu'il est pourri, qu'il ne fait rien de bon, puis ils essayent de nous faire croire que tout ce qu'ils ont besoin de faire, c'est pour l'améliorer. Mais les Ontariens et les Ontariennes ne sont pas stupides. Ils savent qu'en Ontario on a un bon système d'éducation. Oui, on peut toujours le bâtir et le faire mieux, mais généralement on a un système d'éducation qui marche.

Justement, combien de compagnies américaines et autres compagnies d'outre-mer viennent ici en Ontario pour recruter, pour aller rechercher nos élèves en médecine, nos élèves comme ingénieurs, nos élèves dans toutes sortes d'autres professions qui ont pris leurs connaissances à travers notre système d'éducation? Vont-ils aller nous rechercher nos jeunes s'ils ne sont pas bons? C'est parce qu'ils sont reconnus comme étant les meilleurs. Ce gouvernement dans son attitude temps après temps, chance après chance, parole après parole essaie de nous dire que ce système-là ne marche pas. C'est faux.

Deuxièmement, on n'a non seulement un gouvernement avec une attitude qui essaie de nous dire que ça ne marche pas, ils disent des affaires contre le système d'éducation, contre les enseignants et les enseignantes de la province qui sont vraiment épouvantables. Le premier ministre, M. Harris, et je ne le crois pas, m'offense quand je l'écoute. Il se lance dans un «media scrum» puis il essaie de nous dire : «Bien, écoute, le système d'éducation n'est pas trop bon. Après tout, on a enseigné des affaires comme l'histoire et la géographie, quoique ça n'a à faire avec rien. Ce n'est pas important que les jeunes apprennent l'histoire et la géographie. C'est mieux qu'ils apprennent comment lire et comment écrire et faire des

mathématiques.» Écoute, il parle du temps de 1910, le premier ministre. On ne demeure pas en 1910, on demeure dans les années 1990.

Un gouvernement et un premier ministre qui se lèvent debout et essaient de faire croire que les valeurs du commencement de ce siècle sont plus importantes pour l'éducation que ce dont on a besoin aujourd'hui, c'est un homme qui n'a pas, dans mon opinion, le droit d'être le premier ministre de cette province. On voudrait avoir un premier ministre qui croit en nos valeurs ontariennes. On voudrait avoir un premier ministre qui regarde vers l'avenir et ne regarde pas toujours en arrière et essaie de dire, «Reculons au bon vieux temps de 1910 à 1930.» Nous autres, on n'est pas intéressés.

On regarde un système d'éducation avec les réformes que le gouvernement fait, et je veux vous laisser savoir ce que M. Charles Pascal — vous le connaissez, il est l'ancien sous-ministre de l'Éducation — a à dire des réformes du projet de loi 160. Il dit que cet exercice est seulement fiscal, qu'il n'a rien à voir avec des changements positifs en éducation, et que si le gouvernement est sérieux et veut faire des réformes positives en éducation, il fait rapport au projet de loi 160 pour dire qu'elle n'y a rien à voir. C'est l'ancien sous-ministre de l'Éducation qui nous le dit. Il y a un problème dans la province de l'Ontario quand on voit un gouvernement prendre ces actions.

Ce qu'on doit faire est très simple. On doit adopter, dans mon opinion, deux stratégies quant à ce gouvernement, ses attitudes et son agenda contre l'éducation et d'autres choses : à court terme, qu'on essaie de les ralentir. Nous, les Ontariens et les Ontariennes, on doit faire tout dans notre pouvoir pour nous mobiliser. On doit mettre de la pression sur les membres du gouvernement Harris pour les laisser savoir qu'on est mécontents avec ce qu'ils font, non seulement en éducation mais quand ça en vient à toutes sortes de projets de loi que ce gouvernement essaie de passer et qu'ils vont passer.

À plus long terme, on a besoin de s'organiser comme population, parce qu'une journée il va venir une élection provinciale, et la population va falloir faire une décision : est-ce qu'on veut continuer sous la direction de M. Harris, une direction qui fait reculer la province de l'Ontario à un bon vieux temps, à un temps où les travailleurs n'avaient pas de droits, à un temps où les jeunes n'avaient pas un bon système d'éducation, à un temps où on n'avait pas un système médical où, quand on était malade, on pouvait se faire servir sans penser à combien d'argent on avait dans la poche? Veut-on regarder et essayer de bâtir un meilleur avenir, une meilleure province pour tous les Ontariens et Ontariennes?

Comment est-ce qu'on fait ça? On s'organise politiquement. On dit, dans mon cas, qu'on s'organise avec le Nouveau Parti démocratique. Puis on dit que du moins ce parti-là a des valeurs qui sont plus associées à ce que je pense sont les valeurs de cette province, et on travaille avec ce parti-là, politiquement, pour organiser les comtés. On propose et on supporte des candidats à travers la province afin d'arriver aux prochaines élections pour jeter

ce gouvernement dehors et l'oublier pour un bon longtemps.

Pourquoi ? Parce qu'on ne peut, comme province, avoir un autre quatre à cinq ans avec ce gouvernement, parce que si on le fait, il ne restera rien quand ça en vient à l'Ontario qu'on a tous connu.

La question de cette Loi 161 est très simple. Le gouvernement de l'Ontario essaie d'acheter les électeurs de cette province avec ce projet de loi parce qu'ils savent qu'ils ont fait une grosse erreur en ce qui a trait à la Loi 160. Ils savent qu'ils ont pris trop de pouvoir, qu'ils vont retirer trop d'argent du système d'éducation, puis ils essaient de trouver une manière de racheter les électeurs qui les ont élus en 1995. Monsieur le Président, je vous le dis, ça ne va pas marcher.

Mr Galt: What a speech we had from Cochrane South, continuing with the myths, continuing with the exaggerations and trying to build up emotion here in Ontario. He couldn't even get a quote from the CSR, the Common Sense Revolution, correct. Let me give the quote to you so you really understand what was in it. It's under the heading of "Protecting Priority Services" and it says:

"Classroom funding for education will be guaranteed.

"That does not mean that savings cannot be found elsewhere in the education system. Too much money is now being spent on consultants, bureaucracy and administration. Not enough is being invested in students directly.

"Our principle of 'classroom-based budgeting' will help ensure that this essential service is protected and, indeed, that excellence in education and training is enhanced."

Under the heading "Finding the Savings," page 11:

"Reform education

"For years now, we have been spending more and more on education, but getting less and less in the classroom.

"Interprovincial comparisons are worse. Ontario spends \$14 billion a year on primary and secondary education — more per pupil than any other province — and still gets a failing grade.

"We believe Ontario's education system is in need of system-wide reform, based on the principles of providing opportunity to students, excellence in curriculum and teachers, and accountability to parents and taxpayers."

I suggest that we're doing exactly what was in the Common Sense Revolution and we're carrying it out.

The member for Cochrane South also suggests we're taking \$1 billion out of education. Well, so far, we've had to continue to spend more than before, mainly because of the agreement their government made in connection with the pension for the teachers. They stripped out dollars from the pension that they owed; we had to catch it up. That was another way of hiding the debt and very, very unfair to the taxpayers of Ontario.

This government is committed to spending what it takes for quality education, something the previous government wasn't. The only glimmer of hope we saw from them was the social contract.

The Acting Speaker: Member for Northumberland, in the future wait until the Chair asks for questions and comments. You were too quick.

Mr Galt: I was too anxious.

The Acting Speaker: That's right.

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Mr Bartolucci: I'd like to thank my colleague from Cochrane South for his very informative and accurate words. There is absolutely no question at all what the intent of this government was with Bill 160, what it is with 160, and because of that, we had the political protest by the teachers which caused the need for Bill 161.

I suggest to you, as the member for Cochrane South has said, there is less money in classrooms today than there was last year and the year before. Operating grants to school boards have gone down. Operating grants are money that goes directly into the classrooms, so I suggest to the member across the way that the member for Cochrane South is in fact accurate. You are spending less money in classrooms. You are breaking that promise that you referred to.

I might suggest further that this is all about this government wanting to beat up on teachers, wanting to destroy the public education system, wanting to start a very unique but really two-tier educational system that's doomed to disaster for the average child and the average student in Ontario. That's what the member for Cochrane South is saying to you and to the people of Ontario and he's right on.

Your agenda is wrong for the students of Ontario. What the member for Cochrane South said is accurate: Your agenda will destroy quality education. He backs that up with the former Deputy Minister of Education, Charles Pascal, who said in fact that this government's agenda will ruin public education; it will not enhance it.

I refer to a grade 9 student in Sudbury, Laurel O'Gorman, when she said: "The scars of Bill 160 will be with us for a very long time. Withdraw Bill 160."

Mr Kormos: Once again the member for Cochrane South has addressed this issue in a context which is most revealing of the true agenda of this government. The member for Cochrane South talks about this Premier's indifference to post-secondary education, the devaluation of education, the fact that this Premier, whose library consists of one copy of Mr Silly which he may or may not have read, dismisses post-secondary education. He talks about how it's irrelevant. I suppose in his world, in Mike Harris's world, quality education is irrelevant. Just how much post-secondary education do you need to flip hamburgers at one of his McJobs? The jobs that this government has created are inevitably part-time, temporary and minimum wage or, as often as not and increasingly so, subminimum wage. This is part of this government's agenda: Drive wages down.

Part of this government's agenda is to defeat the trade union movement and destroy the progress that workers have made over the course of decades and generations, developing protection for themselves as a collective workforce in their workplace; protection against bosses

who would dismiss them with a snap of the fingers or who would discard them once they're injured in what we still witness as increasingly, sadly, tragically unsafe workplaces.

This member for Cochrane South, my friend Gilles Bisson, has hit the nail on the head. It's tough for this government to take. It's tough for its members to take, because it doesn't click with their crib notes. It doesn't click. It doesn't coincide with the cheat notes they've got, the scripts they've been given to try to peddle Bills 160 and 161.

I want folks to keep watching, because Gilles Pouliot will be speaking in a few minutes. He will have more to say from northern Ontario.

The Acting Speaker: Further questions or comments? The member for Brampton North.

Mr Bisson: En français.

Mr Joseph Spina (Brampton North): Je parle français mal, moi. Sorry.

In regard to the comment that the last people have indicated, I just want to not read from the cheat sheets from which we've been accused of reading but rather read from someone who has published this publicly. It says —

Mr Kormos: Tell us who.

Mr Spina: Christina Blizzard, Toronto Sun.

"One of the silliest criticisms is the one from people like NDP leader Howard Hampton. 'This bill has nothing to do with students,' they say. 'There's no mention of the word "student" in the entire bill.' Well, duh. No, that would be because, you see, the legal term used in the Education Act is 'pupil.' Bill 160 does, however, mention 'pupil' 244 times.

"What's most bizarre is that no one seems to question the political reality in all of this. Why would any government follow the scorched earth policy that teachers' unions have attributed to the Tories? The goal of any government is to get re-elected. If the Tories did what the unions say they're going to do, they would be committing political suicide.

"What is the alternative to Bill 160? What happens if it doesn't pass third reading? Well, the answer is easy. Unions will have won the divine right to rule in our schools and we will have betrayed our kids and the school system. It will be doomed."

The Acting Speaker: Member for Cochrane South, you have 10 minutes.

Mr Bisson: Ten minutes. My Lord.

The Acting Speaker: I'm sorry, two minutes.

Mr Bisson: I start out with 10, I go to 20 and now I get 10 on two. That's not bad. New math, right?

To the member for Northumberland, I would just say that you got up and I thought you read quite accurately what the Common Sense Revolution said, which is that you would not take any money out of the classroom. That's exactly what you guys are doing. You're doing the complete opposite of what you promised in the Common Sense Revolution. You said you'd take no money out of the education system through the classroom; that's exactly what you're doing.

We are seeing across Ontario dollars being taken out of boards of education and more to come — at least \$670 million to come — where it's going to be directly affecting the classroom now. We know in communities across Ontario that JK is no longer offered. That's classroom. We know that in communities across the province the government of Ontario did, a year and a half ago, cut the entire funding, or pretty well most of it, of adult education. School boards are now having to go into moneys that they were using for other programs. If they decide to keep adult education running, they are having to go into moneys for other programs in order to fund adult education. Where do you think that comes from, member for Northumberland? It comes out of the classroom.

So don't stand with your Common Sense Revolution somehow thinking that you've kept your promise because you have not. You have broken your promise with the people of Ontario. You're doing exactly the opposite of what you said you'd do in the Common Sense Revolution. The dollars are coming out of the classroom.

I would say to the member for Brampton North, your English is not much better than your French. I thought your comments, if they come from Christina Blizzard, and she's on the opposite side than I am, I think I'm doing okay. Christina Blizzard has never been known to be — how would you say? Well, I won't say. It's probably better not to say. But if that's all you can quote, I think you're in trouble.

The Acting Speaker: Further debate?

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Mr Jim Brown (Scarborough West): I'm pleased to have the opportunity to speak to my colleague's bill this evening and I'd like to congratulate the Minister of Labour for his thoughtful bill.

As presented by the minister, the Fairness for Parents and Employees Act will certainly help all the individuals who were affected by the teachers' illegal strike in three different ways.

First, the act will enable a payment of up to \$40 per day to parents or guardians of children who were unable to attend public school during the strike. This money is not taxable and no receipts are required. This will include all children of 13 years and younger, whether they be in the public school system, day care or nurseries or in special needs in the secondary school system.

The strike caused a great deal of inconvenience in Ontario to many parents and to several teachers. However, the money saved by the school boards from unpaid striking teachers' salaries will assist the victims, the families. It will not cover all the costs lost during the strike but it will help families in need. It will not cost the taxpayers any money; the money is already there in unpaid teachers' salaries.

In fact, after the bill is passed, should the bill be passed, there will be a form to request the \$400 payment. What I'd like to see on that form is a box that parents can tick off when they're applying for their \$400 to donate the money back to the school, should they so chose, to help buy books, donate for a computer. Certainly, if they

believe that the money is deserving in the classroom, they should put the \$400 back.

Second, the act will protect employees who were unable to work during the strike because they had to care for their kids. This is an important measure since no employee should be dismissed or have to suffer because of the nature of the illegal and unlawful strike by teachers' unions. Employers are prevented from dismissing any employee who had to take care of a child during the illegal strike. Working parents have to be protected from any repercussions at their place of work, and this bill will accomplish that measure.

Third, teachers who refused to join in the illegal province-wide strike or cross the line will be protected from the wrath of their own unions. This government is opposed to union disciplinary measures against any teacher who did not wish to participate in this unlawful strike. Like many other Ontarians, I have been disturbed by the actions of the teachers' unions since the illegal strike first started. That harassment continues in my home. My wife, who is a teacher, crossed the line.

One recent teachers' ad asked the following question: "How can you cut \$667 million from the school system and still maintain education quality?" The answer to that is very simple. Ontario teachers have one of the most lucrative pension plans in Canada and they know it. Ontario teachers at the high end, at the top salaries, know that they can retire today and their net take-home pay is only \$1,000 a year different than their take-home pay if they were fully employed. Some teachers have calculated that the difference in net take-home pay of a teacher who retired six years ago is negligible compared to working. You see, the pension fund has a cost-of-living factor built into it. Teachers' salaries have been frozen, but the pension fund allows the pension amount to increase at the cost of living. Today you have teachers who are retired who are making more than their brethren who are working. That's how lucrative the pension fund really is.

Let me explain what has happened to the teacher pension fund and why it is the richest, most lucrative pension fund in North America; how it can afford to own a major share of Maple Leaf Gardens, how it can afford to own 46% of the Toronto Sun, and it has a myriad of other investments; how it could afford to lose \$100 million on Bre-X and didn't stumble, didn't blink — \$100 million in the dumper on Bre-X from the teacher pension fund and nothing said and it can absorb it.

Let's go back to 1993. In 1993 we had a recession. Stock prices were down 40%, real estate was down 40%, and those were the things the teacher pension fund had its money in. Premier Bob Rae, who wanted to sell the social contract, went to the teacher pension fund and the teachers: "Buy into the social contract and we'll look after any unfunded liability in the teacher pension fund." The unfunded liability at that time was about \$8 billion. Bob Rae said: "No sweat. We'll give you \$8 billion over the next 22 years, starting when the social contract is finished in 1996." As a matter of fact, that works out to \$400 million

a year extra into the teacher pension fund; not in the classroom, into the teacher pension fund.

Ms Annamarie Castrilli (Downsview): On a point of order, Speaker: I wonder what any of this has to do with Bill 161.

The Acting Speaker: He's coming to it.

Mr Jim Brown: I'm coming to it.

Let's go back: \$400 million a year into the teacher pension fund over and above what the normal contribution is. In a normal situation, a businessperson would say, "Look, once that unfunded liability is no longer unfunded and we're back into a surplus, we shouldn't have to pay the \$400 million." Not so; the government is committed to pay \$400 million extra for 22 years. We've already made two payments; we've got 20 more years to pay \$400 million. You know what that means? That means almost 10% of the education budget of \$14 billion, that is, \$1.1 billion, \$1.2 billion a year, goes into the teacher pension fund, an already rich fund.

What do we do with all this money? Leave it there. Why would you leave it there? My wife's a teacher and she's approaching retirement. We need the money. She'd like to retire but she's got a few years to go. The teacher pension fund at the end of last year had a \$1.8-billion surplus, because stocks go down but stocks also go up. They're up and that's where there's a big surplus. There's a \$1.8-billion surplus in the fund. It's estimated that at the end of next year it will be \$8 billion, maybe \$10 billion. This pension fund is doing superbly. Any teacher who's watching, the fund is funded and there's a \$2-billion surplus now and there will be \$8 billion. That \$8 billion doesn't go to teachers who are now employed. That \$8 billion goes down the road to some future teacher who's going to be employed.

Why don't the teachers say: "Wait a minute. That ought to be my money"? I know lots of teachers who would take early retirement if in fact the retirement factor, age plus years of service, instead of being 90, as it is, was dropped to 85. There is a surplus in the fund. In the last year the union went to an actuary and had an actuarial assessment done. The cost would be \$800 million to reduce the factor to 85, and they have the money. In fact they have enough to take it to 80. If the factor was dropped from 90 to 85, you'd see 12,000 teachers accept early retirement. Like I said earlier, with the cost-of-living bump-up in their pension, their net take-home pay would almost be similar to if they were working. They could do supply teaching and a whole host of other things. Maybe there would be more than 12,000 teachers who take early retirement, so they'd be winners.

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What would happen? There would be 12,000 positions available for younger teachers, and the younger teachers would not cost the system quite as much, probably less than half. And 12,000 positions, and you probably save \$30,000 or \$40,000 per position, is \$420 million annual savings. I don't understand. Everybody wins. These young people who have studied education and who are now clerking somewhere, doing accounting, shipping, what-

ever, they're highly qualified. They would be taken up and doing their chosen career, and the jobs that they left would create an opportunity for the unemployed. Everybody would win. Why doesn't it happen? Because the union bosses don't want it to happen. They could make it happen. They've got the money to make it happen.

Maybe this whole illegal strike, maybe this whole discussion about Bill 160, and the criticism of Bill 161, maybe it's a smokescreen to divert teachers from looking at their pension fund, what they're duly entitled to, and taking advantage of the surplus of \$8 billion to \$10 billion. My advice to any teacher who is watching is to ask their union bosses, ask Mr Earl Manners why we can't have an 85 factor, why we can't have an 80 factor. My wife has asked, just to be rebuffed. There are a few teachers who know what's happening with their money. There are a few teachers who realize that that \$8-billion surplus, which is theirs, is going to go to somebody else.

Anyway, the union leaders know they can afford a drop in the pension fund to drop the retirement factor to 85, and they know that their pension fund, even after doing that, will still be one of the most lucrative in North America. I suppose if they had done that, we wouldn't have had all these families during the illegal and unlawful strike.

The teacher unions have tried a number of strategies to convince their members that Bill 160 was going to hurt schools and hurt kids. They included comments that the bill was going to increase the power that the province has over education and that the government was running a dictatorship. As usual, the union hierarchy tried to use scare tactics on a bill that they dislike, and not surprisingly, the high-ranking union bosses are wrong.

Bill 160 is an important and necessary measure to enhance the quality of our public schools and Ontario's education system. There will be maximum class sizes in each classroom; professionals and paraprofessionals will be able to complement certified teachers in the public school system; and the often-quoted Henry VIII clause is eliminated so that government regulations won't override any existing laws or decisions by the Legislature. These are important steps in helping our children get a better education and to get the educational system back on track. The teacher unions are using children for teacher unions' vested interests and they are using parental love to attain union goals. The unions are also arguing that cuts hurt children. They say that Bill 160 cuts education funding.

Bill 160 does not talk about cuts; unions do. Hurting the education of children, hurting the jobs of parents and employees, hurting the future of young teachers and hurting the many teachers who didn't want to strike — this is what the teacher unions are all about. At the same time, this government is going to stand up to union threats and it also recognizes the fact that many teachers who struck didn't participate in any kind of strike vote. Some participated in a vote that occurred back in April, months before Bill 160 was introduced.

In conclusion, the Fairness for Parents and Employees Act will ensure that all individuals are protected from

unions. It is another step in the right direction in trying to improve the suffering status of education in Ontario.

The Acting Speaker: Questions or comments?

Ms Castrilli: I must say I have seldom heard in this chamber such wonderfully mellow tones. The member for Scarborough West would have you believe that this is just such wonderful legislation. He would further have you believe that the government has no responsibility at all for Bill 161, for Bill 160, for what's happening in education. He would have you believe that it's all the teachers' fault. To the member for Scarborough West I want to say, good try, but not at all a good result.

The reality is that it is very much the government that has created the crisis; it is very much the government that set out to create the crisis; it is very much the government that with Bill 161 is trying to create a smokescreen for what are the real issues in Bill 160, which are power and money. It has little to do with improving the quality of education. In fact, the word "education" barely appears in the bill at all. It has little to do with creating a system that will make us competitive in the 21st century. It has everything to do with who decides and what they decide. Those decisions which would now be made in an open forum at the local level or in this Legislature will in fact be delegated to a handful of individuals behind closed doors. I would remind you, sir, that the Magna Carta, a long time ago, decided that taxation without representation was a non-starter. It was that way then and it is that way now.

Any discussion that you want to throw at us about teachers and pensions, and all of the other paraphernalia that you've presented here today, is absolutely irrelevant to what you're truly doing, which is concentrating power in the hands of the Minister of Education. If that happens, there will not be another debate on public education in this province, and you should be ashamed of yourself for advancing that kind of specious argument.

Mr Pouliot: I welcome the comments from the distinguished member for Scarborough West, whom I trust to be a chartered accountant by profession. I certainly commend him, so he would therefore be most familiar with and trustworthy in the numbers he puts forth. He did spend, by choice, a long time in his address talking about unions and union bosses. We understand, we get the rhetoric, we recognize the tone.

When you refer to teachers you're referring, at the public and secondary levels, to about 126,000 among the most educated people in the province. They respect the member's opinion, they respect him. They wish in return that he could, and I'm sure he does, appreciate their right to organize, the right to unionize. The leaders are former teachers, by and large. What is being said here is that people have that right and I am sure that you will respect that right.

I have a document which is a 1997 Ontario budget that I want to share with you. It is the government's document, the Honourable Ernie Eves, Minister of Finance. These are the figures that I wish to throw at you. The teachers' pension plan is a contractual arrangement between an employer and an employee. It has always been itemized

separately from the amount spent on education and training. So when you try to mix it, to wed, to marry the two amounts, it does not, under estimates, come out that way. The pension plan is different. The money that was spent on education and training in 1994-95 was \$8.357 billion. What you intend to spend —

2030

The Acting Speaker: Thank you. Time has expired.

Mr Klees: I'd like to take this opportunity to commend my colleague from Scarborough West for a most informative account of some realities in this province. There were probably few teachers, but certainly after today there will be many more, who understood some of these facts and figures and some of the rights they have under their pension plan. I and many of my colleagues will make a point of sending a copy of the Hansard of the member for Scarborough West's remarks to teachers across this province.

I can also say that I have had teachers from my riding send letters to their union representatives making the same kind of appeal, to use the resources of the pension funds — which are their funds — for the benefit not only of their profession, but for the benefit of education in the long term in this province. I might say that discussions have taken place already between the pension fund and the Ministry of Education on these very points. By the way, I'm told by teachers in my riding that when their union representatives are confronted with that issue, they deny that those discussions have even taken place.

As time unfolds, people in this province and teachers in this province will come to understand the facts. The general public will come to discern the difference between the lies that are being perpetuated across this province, the misrepresentations about Bill 160 and the realities of the intent of this government in the interest of public education and in the interest of students, parents and teachers. Time will tell.

Mr Patten: I would acknowledge the member for Scarborough West and his rather tranquil, moderate tone in presenting his argument. I think he made a couple of interesting points. But if I have it right, what you want to do, in combination with the member for York-Mackenzie, is take money out of the teachers' pension fund to fund programs that the government has stopped funding and has removed, even when the court ordered this government to add money to that superannuation fund because it wasn't adequately funded. The government had a responsibility to do that. The logic of this worries me.

In the face of this, knowing that we've already lost over 5,500 teachers in this province over the last three years and probably are going to be losing maybe 10,000 teachers — and the comments you make about teachers are derogatory — what kind of a relationship do you think you'd have, asking them to mortgage their future after they can no longer work in order to fund something in which you are removing resources from the whole educational system? I find that, as my friend from Downsview has said, somewhat of a specious argument.

The member for York-Mackenzie says he's going to share this information with the unions, which of course is

his right. I hope he does. But I would suggest to him that when he does share this information in the spirit in which it's being offered, it seems kind of strange that he would get a welcoming response. I would find that when you see the government finally admitting that they will take another \$667 million out of the system, the welcome would not be —

The Acting Speaker: Thank you.

Interruption

The Acting Speaker: I'd just like to remind the people in the gallery that you're not allowed to applaud or to make any signs or any demonstration whatsoever. It is a privilege to be in the House, to be in the gallery, and I would ask you to refrain from doing so.

Mr Bisson: On a point of order, Mr Speaker: I believe that the standing orders are clear. It is not a privilege to be a member of the public coming into the gallery as a spectator. It's a right, not a privilege.

Interruption

The Acting Speaker: Would the security guards please remove the three people from the gallery.

Interjections.

The Acting Speaker: The member for Durham East, please, you're not in your seat.

The member for Scarborough West, you have two minutes to reply.

Mr Jim Brown: My message is to all the teachers out there and all the future teachers out there. I'd like to see you get a break. I'd like to see you be able to retire. I'd like to see that the \$8-billion surplus that's going to be in your pension fund at the end of next year is yours. It belongs to you; it doesn't belong to somebody down the road. The only way you're going to get it is to force the teacher unions into lowering the retirement factor to 85 or 80. They have the money to do it; they already have an actuarial study that says it'll cost them \$800 million to drop it to 85. Therefore, why don't they do it? Why don't they talk about it?

Teachers have come to me and they've told me that the net difference in pay between being retired and working is only \$1,000 a year; only \$1,000 a year to stay home or to go to work, net. Right now, that's the difference. Furthermore, a retired teacher enjoys a cost-of-living bump-up every year to their pension payment. I've got to tell you that those teachers now, the younger teachers who were sold out by the union and the older teachers in 1993 and who are on the grid, those are the ones who will be pushed up and not laid off. There'll be 12,000 new teachers in behind them with vitality and vigour. They want to work in their chosen profession.

Mr Bisson: I take it older teachers are no good.

Interjections.

The Acting Speaker: The members for Cochrane South and Lake Nipigon, I don't need to ask you to refrain from heckling.

The member for Kenora.

Mr Micalash: I'm pleased to have an opportunity to partake in this debate this evening. As you will know, it's the recent rule changes of the Conservative government

that have now limited me to only 10 minutes. We know that after 20 minutes past 8 o'clock we are now limited to only 10 minutes apiece. In that short time, I wish to get my comments regarding Bill 161 on the record.

As I indicated earlier this evening, we see this as nothing but a crass means of this government now trying to put Bill 160 behind it and coming on with Bill 161 as a bribe to the parents to turn around and begin to support them. I think we'll start seeing a lot of bribes such as Bill 161 coming back from this government. I can tell the members across the way and the other members of the House that the people out there, the people who saw their former teachers out on the line defending public education and trying to prevent this government in their power grab, in their cash grab, they will remember.

In northern Ontario, our communities are very small and people will realize that. Once you've had a teacher in the system, you will remember that teacher, especially if that teacher meant something to you while you were going through the system. I had a lot of people come to me and say, "Why was it that Mrs Jones was out there on the picket line?" It had to mean something for Mrs Jones to be out there, because they knew that Mrs Jones, their teacher they remember from years ago, who they really had a lot of respect for, would rather be in that classroom, would rather be doing her job. But for some reason, they were out on a political protest against this government.

Again, people will not forget. Here we have a \$32-million giveaway by this government back to the parents, \$32 million that possibly could have gone in to junior kindergarten, \$32 million that could have gone into the adult education system, to which a lot of my constituents are looking to upgrade their skills, to move on. But here we have it going back to the parents as a bribe, a bribe on behalf of this government. It was the government that brought in Bill 160 with a blatant disregard for what the people were saying in terms on the education system and in terms of the need for public education.

2040

They know what the government is doing. They're taking over the control of the system and they're taking over the control of the dollars. Yes, we've heard many figures bantered about in terms of the numbers of dollars that are going to come out of the system and out of education, much like health care. We're seeing money coming out of our front-line services in health care, much the same as we're seeing money coming out of the front-line services in our classrooms.

Of course, that money is all going to feed a promise that this Premier made back a number of years ago to the people of Ontario, that being there would be a 30% cut in our provincial income tax for every individual in this province. When I go back to my constituents and I ask them if they've noticed any impact of what the Premier has promised in terms of a 30% income tax cut, they tell me no. But they also tell me that there are services out there that are more important than a measly 30% cut on their provincial income tax, those services, of course, being health care and education. I hear that a lot.

Another thing the people of northern Ontario don't like about this government and about Bill 161 and about Bill 160 is that we're seeing a government that is centralizing power, bringing it all from the communities of northern Ontario right down to the Premier's office here in Toronto. I've said it many times, that it's not the cabinet, it's not the members of the government who are actually formulating policy. All the policy of this government is coming out of that one corner office of the Premier. We've had many exchanges with backbenchers of the government, backbenchers who have actually called this Premier a dictator, stating publicly that the Premier would not listen, that it had to be the Premier's way or the highway. He told many of his backbenchers that and we've seen them revolt; a real setback for what this government wants to stand for and what they really stand for.

We find out that, no, there are not going to be any decisions made at the Kenora Board of Education any longer, they're going to be made here in Toronto. There's going to be money taken out of the system. That money that's going to be taken out of the system is not going to be showing up again in the system but is going to fund the Premier's ill-conceived idea of a 30% income tax cut for the constituents of Ontario. When you ask them, they are not interested in that.

We've seen a good number of people indicate a real problem with the government's agenda. They have to try to let this government know that they are not happy with what's going on. I go back to the teachers who were out there during their protest and how they tried to put forth to this government the idea that Bill 160 was not in the interests of education in this province, not in the interests of a quality education that we would all like to see for our students across the province.

I think about a former NDP education minister and how he is encouraging this government in every step and how he is going back to what they did as a government. I think of a quote of the former NDP member from Windsor, from the November 3 Toronto Sun. This is where the former minister, Mr Cooke, reminded people that Bill 160 reflected many of the recommendations that stem from the NDP Royal Commission on Learning.

I want to remind the former minister that it was because of his government's social contract and education reform that we find ourselves in the mess that we're in today. I met with teachers back in the riding last Friday evening and the leader of the third party was there as well. They very much told him what they felt about the mess we were in in terms of education today and how they felt a lot of it stemmed from the social contract of the former NDP government. They made it very clear to the leader of the third party that they were not happy in terms of the mess the education system was in and how it actually stemmed from there.

We even have the former NDP Minister of Education stating to us that it reflects many of the recommendations that came from the NDP Royal Commission on Learning. I think that's a very important point to consider when we take a look at who's running the ship, who's driving the

agenda, who's helping the Premier up there. Besides the whiz kids, of course, whom we all know about, who's helping in driving that agenda? Of course we go back to the former Minister of Education, Mr Cooke, of the NDP government.

But in the few minutes I have left I would just like to quote from a letter that was written to the editor of the local newspaper in Kenora. It was written by a Bridget Sweeney. Bridget's an individual who doesn't mind speaking her mind. She's also a student in the system in Kenora and has indicated that Mr Harris came into her living room just the other day.

"We had a friendly if one-sided chat. He smiled out from the television screen like someone's favourite uncle: indulgent, good-natured, the kind of man who'd like to pop a Werther's butterscotch into Ontario's mouth and tell them it's a bedtime story. The story this time was about his plans for my education."

She goes on to talk about students like herself. They're not happy with what Mr Harris was saying, what he was telling them in terms of planning for her education when he was talking about taking \$1 billion out of an education system that she was going to depend on. She indicates in this letter to the editor that she was not happy to hear about the cuts to funding that are going to come to her school and to a school near her. She suggested that Mr Harris could find a better way.

She talked a little bit about her textbooks as well. She said they "may have been top of the line in 1970" — I was in that same school in 1970 and I remember these textbooks she is referring to — "but now they have to be held together with duct tape and a prayer," as she indicates in her letter.

She goes on to say the Premier is very short-sighted in terms of degrading the education system in Ontario for his tax cuts, "to save a buck," as she calls it here. She asks the Premier to really reconsider Bill 160. She goes on to talk about the efforts of the teachers and how the Premier should actually listen to the views of the teachers in their protests.

In just wrapping up, I would like to say that I will not be supporting Bill 161 as I see this as a bribe by this Premier to the people of Ontario.

The Speaker (Hon Chris Stockwell): Comments?

Mr Bisson: I agree with one point by the member for Kenora, which is that this is a bribe to the people of the province of Ontario.

Interjection.

Mr Bisson: I'm going to talk about Mr McGuinty's promise in 1991-92, to be more to the point. But I would agree with one point from the member for Kenora, which is the issue that this bill basically is an attempt at damage control in order for the government to try to repair the damage it did with Bill 160 by trying to buy favour from the parents of Ontario.

I would also remind the member for Kenora that I remember being in this Legislature back in 1991-92 when the member, now leader of the Liberal Party, Mr Dalton McGuinty, tabled Bill 14, a private member's bill in this

House that did what? Dalton McGuinty, now Liberal leader in Ontario, wanted to have a bill that would have limited the right to strike for the teachers in the province of Ontario. That's what Dalton McGuinty did.

Mr Bradley: The social contract —

Mr Bisson: That was before the social contract, Mr Bradley. What was even more interesting when Dalton McGuinty brought forward that bill, the now Liberal leader in Ontario, limiting the right to strike of teachers, was that you should have been here to listen to his speech because he talked in the same kind of language Mike Harris does today. He talked about how teachers were to blame for what was going on in the system of education. Dalton McGuinty talked about the teachers being the ones who were incapable of change. You should have listened to that speech on the part of Dalton McGuinty. Do you know what? The Liberal caucus of the day — not all of them, but a majority — voted in favour of Dalton McGuinty's motion. Not all, because there were some Liberals who tended to be further to the left who didn't support it.

2050

Mr John O'Toole (Durham East): It's my privilege to make a few comments on the bill in discussion, 161, but we seem to have strayed off on to 160. For the record, I want to make a couple of comments. Thank you for the time.

The debate on both sides of Bill 160 has not been productive. In my view, you do not build yourself up by tearing someone else down. The second part that I have difficulty dealing with in this overall equitable funding model is, clearly, I look at the Durham Board of Education. The Durham Board of Education was world-recognized as the recipient of the Carl Bertelsmann award. Their director, Grant Yeo, educates those children in that excellent environment for less than \$6,000, and the director of the Durham separate board educates children for \$600 less than the Durham public board.

Dick Malowney, from the Northumberland-Clarington board educates for less than that, and Don Folz, the director for the Peterborough-Victoria-Northumberland-Clarington separate school board, educates for less than that. At the bottom of the totem pole are the students and our taxpayers of Ontario under Dianne Dalton. The Victoria county board spends less than \$5,000. Ask yourself a question. Public education is a public right. Every child deserves fair access to education and the dollars that all taxpayers of Ontario pay to support the future of our young people.

The member for Cochrane South made reference to the famous document. I've always got to refer to it. The commitments made by the Liberal government during the election were very clearly — I'll read for the record: "A Liberal government will further cut spending on administration and get rid of waste and duplication, reduce the number of trustees, place caps on salaries and create part-time jobs." They were going to work on a report card to tell the boards how to spend their money. Clearly that —

The Speaker: The member for Ottawa Centre.

Mr Patten: I'd like to commend my colleague from Kenora for identifying what otherwise might be the best use of \$32 million. But I have not heard anybody say, and I think I would like to say this to remind the members on the government side, that the \$32 million that is going to support parents who had to use day care or babysitting, whatever, is being paid for how? It's being paid for by the teachers. The teachers are paying that \$32 million because they went out in protest and totally lost two weeks' salary. Were they fighting for a salary increase? No. Were they fighting for a better work environment for themselves? No. They were fighting for quality education and against something that would be centralized, less democratic and something that would hurt public education here in Ontario.

I hope that the parents, when they receive this money, remember that the teachers who went out to fight for this system paid for it out of salary. Some of them will have to replace those days that they lost when they were out and give back, and they will receive no remuneration for any of that, in spite of that. That's how deeply the teachers believed in this. The money that is being found is not coming from the government. The money is coming from the school boards, which had savings by virtue of not having to pay the teachers during that particular time. I think that's a very important thing. When people cast aspersions against the teachers, as many members on the government side tend to do, remember that. That's how deeply they felt about public education. They put their hearts on the line. They did it unwittingly, without any intent. Many felt bad having to do it but they stood up to the government against a bill that they felt would hurt public education, and they're paying this money for Bill 161.

Mr Lessard: I appreciated the member for Kenora's comments with respect to Bill 161, especially his final comments that he considered this to be a bribe to the taxpayers of Ontario to try and buy their votes and buy their support for the reforms to education that are being proposed by the Mike Harris government. I guess that gives us some insight into what the Liberal plan is for education in the future. The member for Cochrane South mentioned what he thought that may be when he referred to Bill 14, Dalton McGuinty, the Liberal leader's bill in 1992 with respect to restricting the right to strike of teachers. It makes us wonder whether that's part of the educational policy for the future.

The member for Durham East brought forward the Liberal red book that was their platform in 1995. I wonder if that's some of the Liberal future for education policy here in the province of Ontario. It sounded like a lot of cuts to education that they were proposing at that point in time. I wonder as well, when my friend from Kenora says that he has no problem in voting against Bill 161 because it's a bribe to the taxpayers of the province, whether that also represents the views of the Liberal caucus. We are curious to see where the Liberals are all going to vote on Bill 161.

I wonder as well whether the Liberals are going to join the NDP in the referendum campaign, a referendum that

people in the province of Ontario should have to express their opinion about Bill 160, and bills like 161 as well.

The Speaker: Responses, member for Kenora.

Mr Miclash: I would like to thank the members who took time to comment on my remarks. I will start off with the member for Cochrane South. As we know, he has indicated as well that he sees this as the bribe to the people of Ontario. Again, I'm sure we're going to see many more of these bribes after this government attempts to get 160 behind it. He has to remember too that it's David Cooke's agenda that's going to continue to affect all of the teachers in Ontario in his position, where he can push along this government's agenda. I often think of the big black and yellow signs that we saw over the last number of weeks indicating that Mike Harris plus David Cooke equals lousy education. I think those signs in themselves said a lot.

The member for Durham East actually got up and forgot that he should have been commenting on my comments. When he gets into that red book, he has to look at what the red book actually says. I would have to say we were talking more about a freeze in terms of dollars in education, not taking dollars out to support a 30% income tax reduction. We know how the people across Ontario feel about losing those services, whether it be in education, in health care, to support that very ill-conceived promise of Mr Harris.

The member for Ottawa Centre indicated about the teachers out there on the front lines, and they too took a salary cut. Many of them took a 10-day salary cut to defend what they had a very strong feeling for in terms of their protection of public education in this province. He points that out as well.

I would like to thank the member for Windsor-Riverside for again bringing up the fact that this is bribe. I really don't think he has to worry about any of the Liberal members supporting Bill 161.

The Speaker: Further debate? Member for Lake Nipigon. I remind you props are not in order.

Mr Pouliot: I am choosing my words here. After the rape and pillage through Bill 160, after the assault, the attack on public education, the government has chosen, under a state of siege, to try with a fistful of —

The Speaker: I appreciate what you are saying, but I don't like those two words. If you could withdraw them, I'd appreciate it.

Mr Pouliot: I will withdraw "pillage," Mr Speaker, and the preceding word.

The government simply tries to bribe. They are not unlike a thief that robs a bank and then feels a good deal of remorse and returns the loose change back to the bank. We have a government that perhaps knows the cost of almost everything, yet the value of practically nothing.

I have with me the ultimate proof and, in some cases, the sad legacy that is being lived and that will haunt this government in the future. It's by very simple and candid way, by very simple and candid gesture. I have a ruler from the Manitouwadge elementary, the small one. Rose and Loren Maronese with their parents came to our house

and they were willing to part with their Lion King ruler. This is a prized item in Manitouwadge. It doesn't come easy in our small village. Rose and Loren Maronese, I thank you. In the bag goes the ruler to the government.

I have a broken pencil. We don't have any money for supplies here but we have \$400 to bribe people, a fistful of dollars for a few dollars more. I guess with user fees you can get all the pencils back in one day. "There is no replacement supply for writers," says Brady Curlew. Thank you for your courage, Brady. I hope you and your parents are watching this. I'm your representative. It takes a great deal of courage for you to say that what is being done here is wrong. It could have been done in another fashion.

The Speaker: Props are still out of order.

2100

Mr Pouliot: Monsieur le Président, you will recall because c'est là où tout a commencé, that's where it all began, on June 8, 1995, instead of choosing leadership, instead of being a government — and they had choices. They certainly had the following choice and they chose to drive the teaching community to the abyss. You will recall that the provocation was deliberate, was organized, was systematic. They were consistent in their message, "We need to invent a crisis, to create a world of make-believe." They described students as being mediocre, teachers as being underworked and overpaid. Some 126,000 of the most educated Ontarians were driven to withdrawing their services. This is what they've done. It took them two and half years to isolate them.

You don't hear them talk about the doctors' union bosses. You don't hear them challenge the police. But when it comes to teachers you have everything coming to them. You did so at your own peril. This is your fabrication. This is what you have done. You have belittled the profession, you have shortchanged the students, you have committed an act of thievery and deceit on the taxpayers of Ontario, and you did so deliberately and systematically.

Mr Speaker, you will want to join me this evening, on the eve of this fatal, ill-fated vote on Bill 160, on the eve of the deliberate destruction of public education in Ontario, on the eve of learning words such as "charter" and "private school" for a few dollars more, profit-motivated, before the education of our children.

Mr Bradley: How many pieces of silver?

Mr Pouliot: Thirty pieces of silver is all it took, for it is written.

I have a document that I want to share with you: 1997 Ontario Budget Papers, the Honourable Ernie Eves QC, Minister of Finance — Queen's counsel, Minister of Finance — page 64 of their document. Education and Training: Actual money spent in the year 1995-96, \$8.39 billion. That's money that flows from the province to the school boards to the classroom; 1997-98, what they have planned, \$7.735 billion. That's a decrease of more than \$600 million. It's their book. It's right here. It's not a surprise to anyone. It's not conjurors of illusion. It's not tales of Houdini who says, "One day you see the figure, the next day you don't." It is the government's 1997 Ontario

budget. What they spent in 1995-96, \$8.39 billion; \$7.735 billion, that's their plan. We've been saying that.

The Common Sense Revolution, the promises made prior to the June 8 election, paint indeed a different story: "We shall spend the same money. We won't reduce the money being spent in the classroom." If you go to the small town of Manitouwadge, you will be confronted, you will be served, you will be asked to operate as a student at the elementary and secondary level with textbooks that are lacking, not enough of them, not that many. Of those that are there many are outdated. Supplies are not being replaced. People have to go to the blackboard with the remnants of what's left of chalk. Now they're saying to the government: "What about the tools? What about the chance to be like the others, to be like it was?"

This government is inclined to take \$1 billion out of the classroom, but more important, public education is under a state of siege. They have succeeded in isolating the teacher. They wanted to pick a fight with the teachers. It did not matter, or mattered little, about the general population. The little ones would be left holding the bag and they became expendable.

They choose to centralize public education. They made us believe that everything was wrong and the whole system had to be dismantled. You couldn't isolate what was wrong out of the convention, take it out and fix it and sleep over the rest of it.

It's a good system and it works well. We certainly, collectively as Ontarians, this evening owe a vote of thanks to the teachers of Ontario. Those 126,000 community leaders have made every one of us more sensitive. In a way they have educated us —

Mr Bart Maves (Niagara Falls): Big time.

Mr Pouliot: — big time, for all time, my friend, and I will side with them every day of the week.

This is not a political battle. What is more important is the future, the legacy through the children, the students, the pupils. Who better than their teachers to communicate this message? What you have done is wrong. You have chosen to do so. You did so at your own peril. You engage in a game of winner and loser where the political mantra is, regardless of the human dimension, at the end of the day a majority shall have its way.

You've gone way too far. You could have done it a different way and people today would be thankful. I don't wish you well in this endeavour. I shall not be supporting Bill 160.

The Speaker: Questions and comments?

Mr Maves: Thanks to the member for Lake Nipigon. I know he's a good baseball fan and he has demonstrated tonight that he's got a good arm and was probably once a very good baseball player. I just wanted to mention that.

The Speaker: You have to talk about the bill, right?

Mr Maves: The member for Lake Nipigon, although he didn't get into it too much tonight in his 10 minutes, has lamented the fact that in Bill 161 we would not require receipts for parents who want to collect this \$40 per day that there was a strike. We said quite clearly that, unlike the NDP and Liberals, we don't want to establish these

huge bureaucracies to administer and therefore waste more taxpayers' dollars in deciding which receipt goes with which person and so on. Also, we trust parents on this side of the aisle. If they file for their \$40 a day because they had an inconvenience to that extent, then we trust them.

I understand the member opposite wants to see receipts and doesn't trust those parents who were inconvenienced during the strike to be up front and honest about the cost, but we do and that's why we've agreed not to have receipts. Also, there are some parents out there who wouldn't be able to have receipts because perhaps they stayed home from work, perhaps they work on a commission and they couldn't work for a few days, perhaps they had to drive their kids across the region to the grandparents' to be babysat, and those receipts wouldn't be available. That's why we haven't allowed it and, as I said, we trust parents in this situation.

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The other thing I want to bring up quickly is that the member for Ottawa Centre earlier reasoned that he believes teachers who weren't on the job for those two weeks should still be paid. I think that's a remarkable thing for him to have reasoned. We should take the Hansard from tonight, and I think the member for Ottawa-Rideau will be all over this one in sending that to his papers so that the people back in Ottawa can see that he believes that people who didn't work for two weeks, who left kids without teachers —

The Speaker: Questions and comments. The member for St Catharines.

Mr Bradley: I wonder if the member had access to a letter I have access to from a long-time Conservative who is dismayed with this government. He says he grew up in an atmosphere in which the qualities, attributes and virtues of democracy were heralded and the Conservative Party was set out as their bastion and guardian. He goes on to say that he's been an Ontario and education chair, the Canadian consultative council on multiculturalism; he was president of the High Park-Swansea Progressive Conservative Riding Association; treasurer of PC Metro; he was the campaign chairman, manager, executive member on numerous electoral campaigns for Progressive Conservative candidates at three levels of government; he has worked with and personally known many past members of federal and provincial Houses of Parliament, and he names some of them.

He says: "My allegiance to the Conservative Party was unlimited and bordered on the zealous. Although, because of family and professional commitments, I became less involved with the Conservative Party on a direct level, I continue to carry the torch through many a debate with colleagues, friends and acquaintances and through numerous elections. It is therefore with great dismay and chagrin that I find myself in a situation in which my faith in the Conservative Party has been ground into a pulp."

He goes on. He is really very concerned. Let me go to the end, because I don't have much time. He says: "Finally, I took the time to read through Bill 160, Mr

Johnson. I was perplexed. This could not possibly be an act initiated by my provincial Conservative Party. It smacked of the Big Brother, anti-democratic sentiments which I associate with other political parties which I have fought since before I truly realized the significance of this fight.

"I may end up just being a small voice in the dark, but it is important that I express that voice. I do not know what real factors have resulted in the actions precipitated by your Conservative Party. I only mourn the loss and death of what was once my Conservative Party."

Mr Bisson: I want to bring attention to the comments made by the member for Lake Nipigon because I think they are very crucial to this whole debate. The government time after time has stood in this House — the Premier, the Minister of Finance and the Minister of Education and Training — and has said, "We have increased the spending in education in Ontario since we got here." But as the member for Lake Nipigon points out, when you look at the 1997 Ontario budget paper, a document prepared, printed and distributed by the government of Ontario, it tells quite a different story.

As the member for Lake Nipigon pointed out, in 1995-96 money spent in education and training went from \$8.3 billion — that's the provincial share — to, the following year, \$7.7 billion. That's a \$655-million cut in education in 1997-98 just in the provincial share of what we spent in 1995-96. So this government, according to its own figures, has cut the money out of education.

For the minister and the Premier and others to stand in this House, time and time again, to say that they've increased, when, as the member for Lake Nipigon points out, there has actually been money cut, \$655 million, I think it points quite clearly to who is saying what. I can't use the word "truthful" here, but I think it's as close as I dare get.

Mr Kormos: They lied.

Mr Bisson: They lied, exactly. The member for Guelph got up and made a comment, or heckled, during the member for Lake Nipigon's speech when he said, "...126,000 of the most educated people in this province," the member for Guelph saying, "Not really," as if those people are —

The Speaker: Thank you.

Mr Guzzo: At the outset, let me say how much I appreciated the comments from the member for Lake Nipigon. I say this in all sincerity because those comments I take as at least coming from a heartfelt position, not like the member for Ottawa Centre or the member for Sudbury, who I think have more than a vested interest in the debate, one being a retired teacher and the other being, like his leader, married to a teacher and having a vested interest in these matters.

This teachers' strike is not unlike our postal strike. It is also for the "common good"; not for the members of the postal union but for the "common good." In Ottawa we have another strike going on at the same time: the Salvation Army strike. Here's the union asking the public not to contribute to the kettles put out for the needy and the

poorest and the most vulnerable people in our community, a strike for the "common good" not unlike the teachers' strike.

The more we look at this and the more we see the relationship — my friend from Lake Nipigon looking through the budget for the money that he alleges is missing — I ask you to take a look at where the money disappeared from education as a result of the social contract. You remember the social contract.

Mr Pouliot: Who says we're for the social contract?

Mr Guzzo: Don't heckle me. That was put in by a man by the name of Bob Rae and you also supported him in varying degrees, I might say.

Mr Kormos: Watch it there.

Mr Guzzo: I must admit, my friend from Thorold, that there were varying degrees of support, but the social contract removed \$650 million from education. Our cut was directed to the school boards, not to go to the classroom but to go to the trustees' perks. You directed it at a fund.

Mr Pouliot: It's a rare event when the government is so abrasive, so provocative that it succeeds in uniting what technically is the employer, the school board, and the employee. Both of them are saying you've done wrong. They're asking you to repent; more important, just do what's right, have the courage to withdraw the bill and defeat the bill. I wish that some of the members of the brigade, those who are occupying the back bench, would stop listening to the commissars. They are just as frightened as you are: Say no to them and then they will disintegrate.

You recall that by regulation before we even sat after the June 8, 1995, elections — those who were marginalized; the poor, the people who are the most vulnerable, 50% of those on general assistance are children; the majority of adults are single mothers — they went and took 21.6% out of the pittance they were getting. Then they moved up the food chain and came after the civil service, those proud 85,000 women and men in Ontario and they too withdrew their labour. Then Pacman Harris and the gang are moving up the food chain again and are going after the educators.

They're coming after you, Speaker, so if we don't speak up tonight for those people, when they come after the assembly there will be no one else to speak for us. Do it for yourselves. Say no to Bill 160. Wave the flag for democracy. Do it for the teachers.

The Speaker: Further debate?

Mr Jerry J. Ouellette (Oshawa): The evening goes on but the debate seems to remain the same. I rise this evening in support of Bill 161, The Fairness for Parents and Employees Act, but I could talk on another topic as most have. However, I have had a number of calls on this issue and I'll be attempting to focus on the issue of providing financial relief for families who experienced additional burdens during the two-week illegal strike.

This bill fulfils a promise made to parents and guardians who were adversely affected by the province-wide interruption of school service between October 27 and November 7, 1997. If passed, this legislation will assist

families who during that two-week period were required to make alternative child care arrangements. Many parents of school-aged children were required to take unexpected measures to deal with the inconvenience from the disruption of school services.

We have to remain on topic because — a lot of the people who are watching — we started off on this topic and I think we should close on what we're supposed to be debating.

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Additional burdens were placed upon families by the disruption of school service. In my riding of Oshawa, many parents and employers had to demonstrate a great deal of flexibility during this period. Parents were required, by disruption, to stay at home with their children or find alternative means of caring for them during what would regularly have been school hours. I had a number of calls from them at that time wondering what could happen or how we could help out.

Employers were also required to work around the child care needs and responsibilities of their employees. I'm proud that the local business community, parents and community as a whole, were able to rise to the challenge of finding alternative child care arrangements, as well as groups such as Simcoe Hall Settlement House, the YWCA or the Boys' Club and others that helped out during this time.

As the honourable members of this Legislature are aware, Oshawa and the region of Durham are growing at a rapid pace. It is one of the fastest-growing regions in the province. Much of this growth comes from young families who have young children and many of whom are first home owners. The two-week school service disruption placed a significant additional burden on these young families and this bill seeks to assist them with this by providing each household with children at the age of 13 or under with up to \$40 per day for each day of the school disruption.

In addition, this legislation would also assist families with children with special needs. This assistance under Bill 161 would extend to those families with children with special needs who attend secondary school, no matter how old the child was. Parents or guardians whose children attended child care facilities or day nurseries located in schools closed due to the illegal strike would also be eligible for up to \$40 per household payment under the bill.

This bill would greatly assist families who incurred significant child supervisory, transportation or other child-care-related costs over the period of the illegal strike. I know that in my riding one of the most asked questions by parents and guardians that they have expressed to me is when they'll be able to make application for the payment. For many families the school services disruption during the two-week period, as I noted earlier, placed a significant additional burden on them.

The Minister of Labour has indicated that should this bill be approved by the Legislature, forms will be immediately available to apply for payment through their

children's school and other local school boards. I hope and expect that the constituency office and other locations of the members will have copies of the forms available for their constituents. Simple, user-friendly forms are to be provided so that the parents or guardians who were forced to seek alternative child care arrangements may obtain their payment.

Many of the parents and guardians whom I've spoken with, and who have contacted my office, are concerned that this bill may not be passed in a timely fashion in light of the up-and-coming holiday season to assist with the additional burdens placed upon them during the illegal strike. I know I've had a number of calls on this issue. Parents are truly concerned about this and how it is to take place and when.

I am going to summarize and give the detail specifically on how we hope to implement this entire process. I urge all the honourable members in this Legislature to lend their support to this piece of legislation so that those parents and the guardians who require the assistance this bill offers may apply for the assistance as soon as possible. I support Bill 161, a bill which will provide some reimbursement to families for the difficulties and expenses that many of the parents and guardians in my riding of Oshawa and across the province had to shoulder as a result of the inconvenience of the illegal strike.

To summarize:

"What is it? Payment of up to \$40 per day per family for each day schools were closed because of the teachers'" — illegal — "strike.

"Who can apply? Parents or guardians of school children 13 years of age or younger; children in child care facilities or day nurseries located in schools that were closed; or special needs students in secondary schools. One payment per family regardless of how many children.

"How to apply? Entitlement depends on approval of the bill by the Ontario Legislature" — obviously, and we're hoping to have it passed as soon as possible. "Application forms available in schools, from school boards, and on the Ministry of Education and Training Web site.... Completed application forms submitted to the school or to the local school board."

Hopefully we should have those available at the offices and at other locations, as I mentioned earlier, such as the Boys' Club, the YWCA and other facilities that provided those services, to make it as convenient and as easy as possible for those individuals.

Thank you. It being almost 9:30 of the clock, I'll conclude my remarks.

The Speaker: Questions and comments?

Mr Bradley: What's unfortunate is that the debates in this House will not be covered as extensively because Conrad Black has made yet another move to restrict the amount of coverage this House will have. It will be to the glee of this government.

For instance, I notice that Greg Crone, who is with Southam News services, will now be leaving Southam News services, having done an excellent job here at the

Legislative Assembly, and is moving to the Financial Post. He will not be here. Carolyn Abraham is being sent downtown for the Southam News services rather than being right here in the building. Dan Nolan may end up leaving as a result of this cleaning of the office. Supriya Kant is going to be leaving from this assembly. We've lost the bureau of the London Free Press. We've lost some people from Canadian Press. All kinds of people are leaving because of the corporate downsizing within the news media initiated by Conrad Black who obviously wishes to —

The Speaker: Conrad Black is going to collect his \$40 a day. This is where you are leading to.

Mr Bradley: And who may well be eligible to collect. I'm sure if he were eligible, he would certainly be collecting it.

What I'm pointing out is that all of the activity taking place in this House is going to have diminished coverage. Even the government has initiated some new method of bypassing the legislative press gallery. They have this new electronic service that will go directly to newspapers and to people who don't know the intricacies of Queen's Park. So Conrad Black once again appears to be working hand in hand with the Harris government to deny people this access.

The Ottawa Citizen for the first time will not have a reporter at Queen's Park, a correspondent at Queen's Park, so we'll have all those right-wingers who now occupy the editorial pages with all the comments in the Ottawa-Citizen.

Mr Lessard: I am quite surprised at the comments the member for Oshawa made and that he didn't spend more time talking about the lack of coverage of the events in this place that is the result of the moves Conrad Black has made. I'm glad the member for St Catharines has pointed that out. One of the cities he neglected to mention in his remarks was Windsor. We once had a reporter here in Queen's Park to report to the people in Windsor in the Windsor Star, Rick Brennan, and now he's gone to Southam as well. So the Windsor Star as well won't have a reporter to report directly to the Windsor Star on bills like Bill 161. Because of that, the comments of the member for Oshawa about the bill probably won't be reported in the Windsor Star tomorrow, and that's unfortunate.

I appreciated the member's comments about how easy it is to fill out the forms and where they might be available and who it is who may be able to apply, but I have news for the member for Oshawa: When you offer to give people 40 bucks a day or \$400 or millions of dollars to parents throughout the province, they're not going to have a hard time trying to find out where to get the forms and how they're going to be able to — they'll figure out a way to get their hands on this money giveaway, this bribe that this government wants to offer to them.

The Speaker: It being 9:30 of the clock, this House stands adjourned until 1:30 of the clock tomorrow.

The House adjourned at 2130.

ERRATA

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249A	13164	1	32	today in this city there is a gentleman named Gary Connolly
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Clerk
Claude L. DesRosiers

Président
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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 26 November 1997

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 26 novembre 1997

*The House met at 1332.
Prayers.*

MEMBERS' STATEMENTS

TVONTARIO

Mr Michael Gravelle (Port Arthur): While all concerned citizens continue the fight to save the education system in Ontario by opposing Bill 160, another important educational institution is being threatened by Mike Harris.

TVOntario, which has a proud 27-year history of providing exceptional educational television to the people of Ontario, has been chosen by the backroom boys as a candidate for privatization. But let me tell you, Speaker, people in this province are speaking out passionately in support of a publicly owned and funded TVO. At public hearings in London, Toronto and Sudbury, and in Thunder Bay last night, people were almost unanimous in their opposition to the government's plans to hand TVOntario over to the highest bidder.

The problem is that the people taking part in these hearings are concerned that this public hearing process is just a public relations exercise that will, like other consultation processes, be absolutely ignored by this government. Sheldon Levy, chair of the community forum panel, has countered this concern by stating clearly that his report will be made public and that it will be released to the public once it is presented to the minister.

Minister Sampson, let me ask you today: Will you maintain the integrity of this panel and confirm that its report will be publicly released once it hits your desk? Will you also tell the public exactly what weight this report will have in your final decision? Will you accept the offer of the non-partisan TVOntario Matters Coalition and let them hold further public meetings before you close the door on this public consultation process?

TVOntario belongs to all the people of this province.

EDUCATION REFORM

Ms Marilyn Churley (Riverdale): I have a message today for the members for Grey-Owen Sound, Oakville South, Wentworth North, and other members of the Tory caucus who are crowing about finally having an influence on their own government on the downloading bill. I would say to them today that they had better pay attention to what's happening in their communities across the province

on Bill 160, the education bill. We have more than 90,000 names on petitions that we're presenting this afternoon. I believe that's just scratching the surface of people who want this bill withdrawn.

These members had an opportunity during the committee debates, during amendment time, to give the same message to their cabinet, to their government: "We will vote against this bill unless we get some substantial changes." They didn't do that.

Those members still have an opportunity to stop their government, which is betraying the people in their communities. Stop them in their tracks now. You still have that opportunity. You found out that when you threaten the bullies that bully you and bully your communities, you actually have an impact. Go back to your Premier, go back to the members of your cabinet, and threaten the same way as you threatened not to support the downloading bill. Do it and do it today, before it's too late. Use this new-found power and show the people of Ontario that, for once, certain members of your caucus are actually listening to the people of Ontario.

JOHN SOPINKA

Mr Gerry Martiniuk (Cambridge): I stand today to commemorate the loss of a great Canadian. As many in this chamber are aware, the Honourable Mr Justice John Sopinka passed away earlier this week. Born in Broderick, Saskatchewan, March 19, 1933, John will be remembered as a man who loved life and lived it to its fullest.

Growing up in the north end of Hamilton, he was a lover of the arts who played with the Hamilton Philharmonic Orchestra. He worked his way through university by working at Dofasco, and he played professional football with the Toronto Argonauts and the Montreal Alouettes.

As the son of Ukrainian parents who came to Canada in 1926, John loved to tell his story of how the son of an immigrant mother who could neither read nor write could be recognized and appointed to sit on the Supreme Court of Justice. He was truly amazed at the openness and opportunity of our Canadian democracy.

John was appointed to serve on the Supreme Court on May 24, 1988. He will be remembered as a Supreme Court justice, a successful trial lawyer, a professional athlete, an accomplished artist, a person who cared about the community in which he lived and a devoted family man. Canada has truly lost a great individual. John Sopinka will be sorrowfully missed.

EDUCATION FINANCING

1340

Mr James J. Bradley (St Catharines): When the Harris government, after denying that Bill 160 had anything to do with initiating more and deeper cuts to education funding, finally admitted that it intends to remove another two thirds of \$1 billion from the allocation for elementary and secondary schools in Ontario, how many government members were aware that this meant the elimination of at least 7,500 teachers from a growing school system and that those teaching positions would be gone permanently?

Does anyone really believe that this will not result in hundreds of schools closing across the province and the loss of program options at the secondary school level in many schools in our communities? Does anyone believe that teachers will not have less time to devote to extra-curricular activities, sports programs, music, drama and interest clubs that are an integral part of school life?

All of the expensive, vicious attack ads on television and propaganda paid for by the taxpayers of Ontario will not disguise the truth: that Bill 160 represents a threat to the future of public education. Mike Harris has cemented the social contract cut of \$425 million, has cut \$533 million of his own from education and wants another \$667 million, which incidentally is the cost of the next tax cut instalment.

RURAL HEALTH SERVICES

Mr Bud Wildman (Algoma): I rise to bring before the House a very important issue related to health care in Elliot Lake and the north shore of Lake Huron. As many will know, the community of Elliot Lake has been very successful in attracting many seniors to live in that community and, as a result, has the need for very well coordinated health care services.

Sister Sarah Quackenbush, the administrator of St Joseph's General Hospital in Elliot Lake, has informed me of a very important issue that should be dealt with by the provincial government. The physiotherapist at the hospital was trained in England and he has been practising in Elliot Lake. He is required, as are all professionals who receive their training overseas, to complete an exam in order to get his licence to practise in Ontario. The individual did very well on the written exam but only completed 10 of the 12 stations of the practicum, so did not get his permanent licence.

Normally when this happens, the hospital applies to extend the temporary licence until the next test, which I understand is in April. If this had been accepted, as it has been in the past, there would not be a problem. But apparently the Ministry of Health, for some reason, has refused to renew the temporary licence. The upshot of that is that Elliot Lake and the North Shore will be losing a young, well-liked and competent physiotherapist and will have to cancel —

The Speaker (Hon Chris Stockwell): Thank you.

HARCO ENTERPRISES AND
BREKEN SYSTEMS

Mr R. Gary Stewart (Peterborough): Last month, the owners of a manufacturing firm that has increased sales every year for 30 years and a two-man computer company that has grown to 18 employees were honoured by being named the 1997 Peterborough Entrepreneurs of the Year. Plastics manufacturer Harco Enterprises won the industrial management award, and Breken Systems was the recipient of the service and retail honours.

Harco Enterprises represents the true meaning of the words "family business" and "teamwork." Starting as a small family operation over 30 years ago, Harco has grown tremendously over the years. It is now involved in a plastics-moulding operation, specialty machining, and the wholesaling and distribution of parts and products to the dairy and pharmaceutical industries. Harco now employs 20 employees.

Breken Systems is involved in computer networking, database programming, Internet training and business consulting. In 1989, the business was started by two university students. They now employ 18 people and expect to hire more.

These are two of the many small businesses in Ontario that are succeeding. I encourage all members to join me in congratulating both of these businesses on receiving this special award honouring the true spirit of the entrepreneur.

RÉFORME DU SYSTÈME D'ÉDUCATION

M. Jean-Marc Lalonde (Prescott et Russell) : J'aimerais adresser quelques commentaires au ministre de l'Éducation concernant le projet de loi 160 et les conséquences pour les régions rurales.

Hier, mon collègue de Renfrew-Nord a demandé au ministre de l'Éducation de prendre un engagement face aux communautés rurales de l'Ontario afin de s'assurer que les petites écoles comme celles de St Bernardin, St-Eugène, Lefaivre, St-Pascal et plusieurs autres dans Prescott et Russell n'auront pas à fermer leurs portes suite à la vague de changements proposés par le projet de loi 160. Cependant, le ministre a refusé de prendre un engagement ferme envers les communautés rurales.

J'ai ici aujourd'hui dans les galeries deux élèves de huitième année de l'école St-Isidore, Mélanie Bourgon et Kevin Galipeau. Bienvenue à Mélanie et Kevin, deux élèves qui ont obtenu leur éducation primaire au sein de leur communauté, avec des gens qu'ils connaissent et à une distance raisonnable de leur foyer familial.

Dans les prochains jours, ou même les prochaines heures, nous serons appelés à nous prononcer sur le projet de loi 160. J'espère, mais je doute, que le gouvernement Harris a bien évalué les conséquences pour les communautés rurales de l'Ontario et que plusieurs de ces communautés ne perdront pas leurs écoles, qui jouent un rôle de premier plan dans l'éducation des jeunes, et qui

sont le centre d'action de la vie communautaire et sociale de ces collectivités.

WORKERS' COMPENSATION

Mr David Christopherson (Hamilton Centre): I want to bring to the attention and ensure that it doesn't escape the attention of all the Tories in this House that as we speak now, there are over 2,000 people demonstrating outside the offices of the WCB to send a message to this government. The message they are sending by being there in those kinds of numbers today is that you cannot attack injured workers in the way you have with Bill 99 without paying the ultimate political price. You cannot take \$15 billion out of the pockets of injured workers and give \$6 billion of that money back to your corporate pals and not expect to be held accountable.

You can't eliminate the 50% of the seats that workers and their representatives had under the NDP government that you've taken away under Bill 15, as you have. You will be held accountable for that.

The other thing is, you cannot eliminate the Occupational Disease Panel, as you have, and expect to get off scot-free. By eliminating the Occupational Disease Panel, you've made it very clear that you have no concern about injured workers, you have no concern about their families and what they go through, because that panel was there to prevent accidents in the workplace and you took it away. Those people are demonstrating today to tell you now that when we go into the next election, Ontarians will not forget what you did to injured workers.

CHUDLEIGH'S APPLE FARM

Mr Ted Chudleigh (Halton North): My statement in the Legislature today deals with fairness and integrity. I was saddened today to learn that the head of the Ontario Public School Teachers' Federation, city of York district, has advised members of the federation not to take their students to Chudleigh's apple farm in my riding of Halton North for field trips because of my involvement with Bill 160.

I want to make it very clear to this Legislature that after the passing of my parents in 1959, my brother and I inherited the farm, and after graduating —

Interjections.

The Speaker (Hon Chris Stockwell): I want the members in the opposition to come to order, please. It is members' statement; they have the right to be heard.

Mr Chudleigh: I want to make it very clear that after the passing of my parents in 1959 my brother and I inherited the farm, and after graduating from university in 1965 we decided to sever our business relationship. Since that time, I have had no involvement in a business relationship with the farm operation, and do not receive any benefits whatsoever from that operation.

Tom and Carol, my brother and sister-in-law, have worked hard over a long period of time to develop a successful business in my community. I am saddened and

disappointed that union leadership would undertake these unfair tactics.

I understand there are some people who disagree with our government's direction regarding the Education Quality Improvement Act. This is exactly the kind of environment that creates a strong democracy. But in this case we are dealing with two separate issues. Bill 160 is about improving the quality of all our children's education. I would encourage the public to view these tactics of union leaders as those which lack integrity and exhibit unfairness and are quite frankly wrong.

CONSIDERATION OF LEGISLATION

Mr Bud Wildman (Algoma): Mr Speaker, I rise on a point of order regarding Bill 164, An Act to implement job creation measures and other measures contained in the 1997 Budget and to make other amendments to statutes administered by the Ministry of Finance or relating to taxation matters. I've given you notice, Speaker, and have supplied you with the written point.

Bill 164 was introduced yesterday. I would have preferred to raise this issue with you at the point of the bill's introduction. Neither the standing orders nor convention of the Ontario Legislature compels the government to provide an advance copy of legislation to members of the assembly, so as a result I wasn't able to look over the bill first.

I hope you will forgive me for raising this matter later than I would have liked to raise it, but I did want to ensure that I could provide a thorough oral submission to you for your consideration. In my view Bill 164 is not in order, because it is contrary to the rules of the House that explicitly state that subject matter that has been considered during a session of the Legislature cannot be reconsidered in the same session.

Furthermore, I would argue that if the government believes that certain sections of Bill 149, An Act to continue the reforms begun by the Fair Municipal Finance Act, require amendments, then the government should refer this back to the committee of the whole House and not call it for third reading today.

The government could have chosen to introduce a new time allocation motion to send Bill 149 to committee of the whole for further consideration. A new time allocation motion would supersede the time allocation motion Bill 149 is currently under. However, the government decided to introduce a completely new bill.

Bill 164 amends changes in the Assessment Act and the Municipal Act contained within Bill 149, which has not yet passed this House, although it may receive third reading today under the time allocation motion. There are six such amendments to Bill 149 in schedule F of this bill and three amendments to Bill 149 in schedule G of this bill. There are also seven amendments to Bill 160 in schedule G of this bill.

Standing order 51 states, "No motion, or amendment, the subject matter of which has been decided upon, can be again proposed during the same session."

Erskine May also refers to bills with the same purpose as other bills considered in the same session.

1350

I quote: "...if a decision of the House has already been taken on one such bill, for example, if the bill has been given or refused a second reading, the other is not proceeded with if it contains substantially the same provisions." That's from page 468 of Erskine May.

Bill 149 received consideration by the standing committee on finance and economic affairs. The committee had four days of public hearings, which were completed on October 23, 1997. October 28, 1997, was the deadline for members to table amendments to the bill with the clerk of the committee. This date was rigidly held to by the government in spite of the fact that the Hansard from the public hearings was not yet available.

On November 4, 1997, the committee met for clause-by-clause consideration of the bill, at which time all amendments in the original bill were considered.

Now the government tables another bill which makes amendments to the bill not yet passed by the House. This is simply the government attempting to sneak in amendments to its own legislation through the back door, legislation that was drafted in haste, legislation full of errors, and the government was so hell-bent on passing this through that it missed its own deadline for tabling all the amendments it required.

In this past year the government has had two kicks at amending both the Assessment Act and the Municipal Act. First there was Bill 106, then Bill 149. Now they're attempting a third kick at the can through Bill 164 because they cannot seem to ever get it right. Bill 164 is called Tax Credits to Create Jobs Act. The amendments to 149 contained in the bill have nothing to do with either tax credits or job creation. These amendments are nothing more than a further refinement of this government's plan to impose a market value assessment system on property assessment across the province.

Schedule F, subsection 1(1), amends the amendment in Bill 149 to subsection 3(1) of the Assessment Act, if Bill 149 is passed. Section 2 then goes on to repeal the amendment on January 1, 1998, if Bill 149 does not receive royal assent. This amendment substantially changes a decision that has already been made by the standing committee on finance and economic affairs.

That committee considered this section after hearing from a variety of presenters on the subject of exempting live theatres from property taxes. The committee passed an amendment to Bill 149 providing that theatres must be used for live theatre performances 183 days of the year. Now this bill reverses that decision to narrow the definition to theatres with less than 1,000 seats offering predominantly live performances. This issue was considered in detail by that committee, and their decision is now being changed on this issue still before the House.

Schedule F's section 3 amends the amendments in Bill 149 to section 71 of the Assessment Act. The wording of this section assumes that Bill 149 will receive royal assent. Furthermore, this section of the bill was amended

in Bill 149, further amended by the standing committee on finance and economic affairs, and is being amended once again through Bill 164. Again Bill 164 is trying to change a decision of the standing committee on finance and economic affairs, a decision which is still pending ratification from the members of this chamber.

Speaker, I would appreciate it if you would look into this matter and rule as soon as possible, since Bill 149 is being debated in the House today.

Mr Gerry Phillips (Scarborough-Agincourt): Mr Speaker, just to help you in your deliberations, I can assure you that when we talked to the public on Bill 149, the property tax bill, we used the order from the Legislature on timing. We said that amendments have to be in by such and such a date, and if not, they would be out of order. So all of us worked to that order from this Legislature.

The hearings assumed we were dealing with the total bill. Mr Speaker, I guarantee you that this bill will have the effect of changing values on properties by tens of millions of dollars. As soon as the bill is passed, the value of each of the bank towers two miles from here will go up by \$30 million. We are talking large sums of money. The public has a right to know, when this Legislature is dealing with matters that have that profound an impact directly on their property taxes, that they have an opportunity for input and that the Legislature is following the rules it set for itself.

It is ironic that on the very day we are going to be asked to pass the bill, 24 hours earlier the government attempted to amend the bill through the back door. If you are to accept this procedure, then we should be looking at amendments to Bill 160. If the motions we pass here mean nothing, if the Legislature directs us to act in a way and then it means nothing, that the government can simply bring forward a bill and amend it, we lose our credibility.

Within the bill presented yesterday there are certain measures that have to be passed by the end of the year. So you've essentially got some hostages, things that have to be done by the end of the year, and the government will use that to attempt to force something that they could not do, if I may say so, legally through the rules you've set up.

I think it's an extremely important matter. I was astonished to get back to my office yesterday and to find, among other things, several amendments to Bill 149 — never mentioned in the minister's remarks, of course, and hidden, as usual, at the end of a very thick bill.

Interjection: Schedule F.

Mr Phillips: Schedule F, as my colleague indicated. We'll be looking for a ruling certainly before we're asked to vote on Bill 149.

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): Mr Speaker, it's an interesting point of order. We believe that the bill introduced by the finance minister yesterday is in order. However, notwithstanding whatever was introduced by the finance minister yesterday, I don't believe the concern over the validity of Bill 149 is part of the same point of order; that is, Bill 149, in my view, is totally in order and

there is nothing to prevent the Legislature from considering that piece of legislation, which has been in front of it for some period of time.

Mr Speaker, as you know — or perhaps you don't know — we did not receive any notice of this point of order. I would only like the opportunity to present a written argument to it.

The Speaker (Hon Chris Stockwell): Written arguments are always in order, and I will accept them at any time.

Let's be clear on one thing: Bill 149 isn't passed yet, so really there is nothing for me to rule on at this point in time, if you appreciate the nuances, the arguments to be made. Until Bill 149 is passed, really there is nothing to rule on.

I understand what you're saying. You're going to stand as soon as it is passed and make the same arguments, and I appreciate that.

Mr Wildman: Mr Speaker, with respect, I understand your point, but we also have to recognize that there is a time allocation motion that has been accepted by this House which determined the date by which amendments to Bill 149 had to be submitted. This piece of legislation I'm raising, Bill 164, is in essence a further amendment, which is prohibited by the time allocation motion on Bill 149. The fact is that the amendments had to be in by a certain date, and this new legislation is in fact an amendment that goes beyond the time allocation motion.

1400

The Speaker: What we'll do is reserve on that and report back at the earliest possible time.

Mr Wildman: It is being debated today.

The Speaker: I will be clear. If I can just beg the indulgence of the leader of the third party, I still believe what we are debating, what your point of order is, is the orderliness of Bill 164. Bill 164 is neither in order nor out of order, according to your argument, until Bill 149 is passed for third reading. Right? I'm not saying I'm ruling one way or the other, but there's nothing to rule on until 149 is passed. When that happens, I appreciate that you're going to make exactly the same arguments. I'm saying to you that I accept those arguments. There's not a lot of timeliness right now for me, but I will give you my undertaking to report it back at the earliest possible moment.

Mr Howard Hampton (Rainy River): Speaker, there are other serious problems with what the government is trying to do. As you know, there are several municipalities —

The Speaker: Is this a point of order?

Mr Hampton: This is a point of order. As you know, there are several municipalities across the province that have expressed an intention that they will send out with their tax notices an explanation of the downloading the government is attempting and also some of the tactics the government is trying to use with respect to setting education taxes behind closed doors. Part of the legislation that the government introduced yesterday would in effect censor municipalities. It would have the effect of censor-

ing any attempt by municipalities to communicate with municipal taxpayers.

My own sense is that any attempt to censor democratic speech would fall outside the Charter of Rights and Freedoms. Just looking at this, I cannot imagine how any court would rule that the government has this power, since everything I've read says that democratic speech, freedom of speech that is about democracy and about government, is to be encouraged and is to be protected. The government here is trying to shut that down, so I can't imagine how a court would let this pass.

Let me tell you what the problem is. The government is attempting, through this legislation, to shut down this exercise of freedom of speech by municipalities in the next short while. If this legislation passes, it would take time for a municipality to go to court and get a ruling from a court that the government is indeed infringing on the Charter of Rights and Freedoms.

Speaker, I'm asking you for some guidance here. It's very clear when you read the sections that the government is trying to censor what information municipalities can make available to their municipal taxpayers. I think even a cursory reading of recent court cases would say that this government can't do that, that it would be a complete infringement of the Charter of Rights and Freedoms. Yet this government wants this to pass this Legislature, knowing that if it can get it past the Legislature and have it in effect for two weeks, it will have the effect of censoring those municipalities. We need some guidance here, because I don't think this Legislature can be part of this strategy.

The Speaker: First off, at this point you may be at the point of debating the bill in fact, and I appreciate the points you're making.

Second, although your arguments could be compelling in a court, they're difficult for me to grasp, being the Speaker. You know full well that I have no right to rule on the legality of a piece of legislation, nor, I'm certain, would you want me to. It's difficult for me to grasp exactly — you're looking for direction. I offer no direction other than what you've done in the past, which is that when you've felt legislation was against the law, you've taken it to court and either won or lost the case. It was nothing for me to argue about. I can't even begin to get my mind around the constitutionality of the legislation.

I appreciate your input, but it's not really a point of order of the Legislature. It is something you should be making as an argument in a court of law.

VISITOR

The Speaker (Hon Chris Stockwell): I will take this opportunity to introduce some guests in the gallery. I would like to inform the members of the Legislative Assembly that we have in the Speaker's gallery today the Honourable Dale Lovick, Speaker of the Legislative Assembly of British Columbia. Welcome, sir. You picked the right week to be here, actually.

INTRODUCTION OF BILLS

HUMAN RIGHTS CODE AMENDMENT ACT (EQUAL OPPORTUNITY IN THE MUNICIPAL AND NON-PROFIT SECTORS), 1997 LOI DE 1997 MODIFIANT LE CODE DES DROITS DE LA PERSONNE EN CE QUI CONCERNE L'ÉGALITÉ DES CHANCES DANS LE SECTEUR MUNICIPAL ET CELUI DES ENTREPRISES EXPLOITÉES SANS BUT LUCRATIF

Mr Hastings moved first reading of the following bill:

Bill 165, An Act to amend the Human Rights Code to enhance Equal Opportunity in Employment in the Municipal and Non-Profit Sectors / Projet de loi 165, Loi visant à modifier le Code des droits de la personne de manière à accroître l'égalité des chances d'emploi dans le secteur municipal et celui des entreprises exploitées sans but lucratif.

The Speaker (Hon Chris Stockwell): Is it the pleasure of the House that the motion carry? Carried.

Mr Hastings?

Mr John Hastings (Etobicoke-Rexdale): The bill amends the Human Rights Code to prohibit employers from collecting and using information that classifies their employees and applicants for employment on the basis of any prohibited ground of discrimination. Persons in possession of information collected in contravention of the amendment are required to destroy the information.

These restrictions are deemed to be a condition of every contract entered into by or on behalf of any municipality, any local board of a municipality, or any not-for-profit corporation, and of every subcontract entered into in the performance of the contract.

ORAL QUESTIONS

MUNICIPAL RESTRUCTURING

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Premier. Part of the whole turmoil around Bill 160 is the plan to dump social costs on to property taxpayers. From the start, Premier, you will know that when you first introduced this in January, we said that you were dumping extra costs on to the property taxpayers.

Municipalities agreed with that. We now find we are just days away from the bill that will dump those services on to property taxpayers, sensitive services like social housing, child care and ambulance services, and we now find that you are \$660 million short of its being revenue-

neutral. You are adding \$660 million to the property taxpayers.

Will you today admit that you were wrong in saying it was revenue-neutral, and will you now table the figures that will demonstrate that you are prepared to put more money into this issue and make sure that it is revenue-neutral to our property taxpayers?

Hon Michael D. Harris (Premier): No, it is exactly revenue-neutral, or slightly in favour of the municipalities. The issue you talk about is one of removing from property tax a substantial portion of what I would consider one of the biggest and most important social costs, that of education, and the balance of that is the trade.

Your leader said on February 1, 1997, on the issue of removing education from the property tax, "That's a good thing to do." I hope you agree.

1410

Mr Phillips: This is getting embarrassing for you, Premier. Every municipality in the province of Ontario says that you are dumping costs —

Interjections.

The Speaker (Hon Chris Stockwell): Member for Scarborough East, member for Ottawa-Rideau, I believe. I could be wrong. I'm sorry. I certainly don't want to point you out if you're not out of order. Order.

Mr Phillips: Every municipality in Ontario knows that you are dumping cost on to property taxpayers. You selected Dave Crombie to do your study. He said: "You are wrong, don't do it. Don't push social housing on to property taxes." You are dumping \$660 million of new costs on to the property taxpayers. Those are your own numbers that you put out in May, Mr Premier.

The question is, will you now admit that those numbers in May were wrong and will you table new numbers showing the municipalities that you have decided to put additional funds into helping them cover the costs you're dumping on to the property taxpayers?

Hon Mr Harris: The numbers were accurate then and the numbers are accurate now, and there's no need to put any other dollars on the table. Municipalities have indicated that if we would deal with the Who Does What exercise, if we would assist them, they could honour the commitment they made and we made in the understanding two years ago that we would phase out the unconditional grants of \$667 million. We have come up with a plan and a proposal to do that. It involves, as you know, giving substantial tax capacity by removing 50% of the education taxes from property taxes, something that your leader said was a good thing to do.

At that point in time your leader said, "We have to start coming up with our own ideas September 6," and then on October 18, "We don't have any specific policies right now." I wonder if you could share with us what you think property taxes should cover to the tune of \$2.5 billion, since your leader is very, very supportive of our taking that education portion off the property tax.

The Speaker: Final supplementary.

Mr Phillips: Premier, you are short \$660 million, no matter how you cut it. You're going to have to come clean.

The people of Ontario demand an answer from you. You are dumping \$660 million of new costs on to municipalities. Those are your own numbers. Property taxpayers have to pick up the problems you're dumping on them.

You may next week announce one-time-only funds, but what we want from you today is a guarantee that you are going to make this revenue-neutral, you are going to put in added funds over and above what you've said you're going to provide, and they will not be simply one-time funds for 1998 and 1999, and then you abandon the property taxpayers and leave them holding the bag that you don't want to hold any longer. Will you make that commitment? Will you table the numbers and will they be long-term neutral revenue? Will you agree that we'll have an independent organization look at the numbers and confirm what no one believes from you any longer: that it is revenue-neutral?

Hon Mr Harris: As we were phasing out the final portion of the unconditional grants, the \$667 million, what we committed to do through the Who Does What exercise was two things. We said, number one, we will shift to the property taxpayers \$2.5 billion of new costs. That will be downloading to the municipalities \$2.5 billion of new costs. We will upload and take \$2.5 billion worth of education costs and take that off the property taxpayer and put that on the provincial taxpayer. That is exactly and precisely what we are doing.

EDUCATION REFORM

Mr Sean G. Conway (Renfrew North): My question is to the Minister of Education. Minister, in rural and northern Ontario, one of the ongoing concerns is the fate of these small schools that have been well established over the decades in communities like Calabogie and Killaloe, Wanup and Alban and Maxville and St-Bernardin, to name but six of several communities.

Minister, one of the ways that small schools have been kept open in rural and northern Ontario is by having principals who teach in some cases up to or more than 50% of the time. How is it that small communities in the Ottawa Valley and elsewhere are going to be able to keep these small, rural schools open under the provisions of your Bill 160, which to say the least make it very difficult for school administrators to keep teaching principals in these small centres?

Hon David Johnson (Minister of Education and Training): I think on the contrary that the reforms, not only through Bill 160 but through the funding formula reforms, will actually make it easier for schools in many parts of Ontario that traditionally have not had access to the same funding, let's say, that many boards in large, urban areas have had access to. There are many parts of Ontario where the funding has been \$1,000 per pupil or \$1,500 per pupil less than some of the big boards.

These small boards in rural Ontario, perhaps eastern Ontario, perhaps northern Ontario, will have the same kind of access to funding as the large boards. Our students in the small areas will have the same kind of financial

support as students in larger urban areas, and the principals will still be able to teach, as they have taught in the past.

Mr Conway: The issue remains not so much the funding formula, which is important and we will judge that formula when we see it. Let me tell you, in Maxville and Calabogie and Wanup they will look very carefully to see if you are as good as your intent and your word.

But the question remains. The way we have kept small schools operating in places like Wilno and Westmeath in the Ottawa Valley or Alban or Markstay in northern Ontario is by having teachers who are also principals. Principals, teachers and administrators, to a person, have told the legislative committee and are telling members of the assembly that it is very unlikely, because of the changes you are making to principals and vice-principals — that these people cannot be part of the bargaining unit — that it is almost certain that you are going to aggravate the situation in these small and rural communities to a point where keeping those schools open is going to be difficult if not impossible. How are you specifically going to address that problem, Minister?

Hon David Johnson: I'm here to reassure the member opposite, if he's not had the opportunity to read Bill 160, that principals will still be members of the College of Teachers, that principals will still be able to teach in the schools as they've done before.

Simply, what we've done is to ask our teachers in our classrooms to spend the same amount of time in the classroom as teachers in other jurisdictions. The principals can still teach, the teachers will still be in the classroom. Indeed, they'll be in the classroom to the extent of their colleagues in other provinces. If anything, I think Bill 160 may assist small, rural areas in terms of meeting their teacher requirements, and the funding formula will be of further assistance.

Mr Conway: Minister, I think it is plain to everyone in the province that you and your colleagues intend to fix the unions, but I don't think people expected, as you fix the unions, that you were going to be effectively, or perhaps inadvertently, closing small schools in places like Wilno and Wanup, and moreover that you were in fact going to be creating an educational marketplace that was going to make it difficult if not impossible to retain and develop new educational leadership.

Would you not agree that your Bill 160 has created a new educational marketplace where many people who are now principals and vice-principals will want to opt back into the bargaining unit, if for no other reason than there is some protection there, and moreover you will not be able, as minister or as a local school administrator, to tell people, particularly in these small communities, that you're going to be able to get new leadership for these schools in these communities?

1420

Hon David Johnson: First of all, I would discourage the member opposite from fearmongering. I think it's most unfortunate when a member of this House speculates on a school that may be closed. Certainly this ministry is not

going to be closing schools. The Ministry of Education will be providing fair, equitable funding to all the school boards to address their needs. School boards will make decisions within the fair and equitable funding they have.

This ministry will be going the route, and the government is proposing through Bill 160 to go the route, that the principals and vice-principals will no longer be in the union, just as the two other largest provinces in Canada have done. British Columbia and Quebec do not have the principals and vice-principals in the union. But the principals and vice-principals will be as eligible and as welcome to teach in the classrooms as they are today. The fair and equitable funding will mean that small boards, underfunded boards, will have the same ability as the large boards to provide an excellent quality of service to our students.

MUNICIPAL RESTRUCTURING

Mr Howard Hampton (Rainy River): My question is for the Premier. Yesterday you introduced legislation which takes taxation without representation to new heights. As you know, many municipalities across the province have expressed their intention to include in the next property tax notices explanations of how your government is going to be setting education taxes behind closed doors and how your government is going to be downloading and the impact that's going to have on people's property taxes. Yesterday in the legislation you introduced, you intend to censor municipalities. You intend to stop municipalities from being able to communicate that basic information to their citizens.

The Speaker (Hon Chris Stockwell): Question, please.

Mr Hampton: Premier, this is bully behaviour beyond belief. What is it that your government has against free speech? Why would you want to interfere with municipalities —

The Speaker: Thank you.

Hon Michael D. Harris (Premier): I wasn't here yesterday and I didn't introduce any legislation yesterday.

Mr Hampton: I take it from that that the Premier doesn't feel he's responsible for his government's legislation. Let me read to you what it says, Premier. It says you're going to amend the Municipal Act and you're going to prohibit municipalities from sending out information with their property tax notices to their citizens. It says, "A municipality shall not include other information on the notice unless expressly authorized to do so by the minister."

Premier, that is censorship. That is censorship by your government. You are trying to prevent municipal governments from communicating to their taxpayers what you're doing to education taxes and what you're doing via downloading to their property taxes. It is pure and simple censorship, nothing else. It is complete interference with the freedom of speech. What is it that your government has against freedom of speech? What's your problem with freedom of speech?

Hon Mr Harris: I can only repeat a couple of things. I wasn't here yesterday, I did not introduce a bill yesterday, and I'm a great believer in freedom of speech.

Mr Hampton: If I were the Premier, I would be embarrassed by my answers here. I would be embarrassed.

This is what the government tried to do. This is the size of this bill. They try to say to people that it is something about tax credits, but if you read the nitty-gritty of this, a number of sections here will have the effect of censoring regions like Halton region, censoring municipalities across this province, stopping them from communicating information about the downloading of policing, stopping them from communicating information about the downloading of ambulance services, the downloading of public health, stopping them from communicating all this information in their tax notices, which citizens have a right to know. Citizens have a right to know what it is that's going to drive up their property taxes, how it is that education taxes are being set behind closed doors without any democratic participation whatsoever.

The Speaker: Question, please.

Mr Hampton: How do you justify this incredible interference with freedom of speech? How do you justify trying to censor municipal governments when they try to communicate —

The Speaker: Thank you.

Hon Mr Harris: I think the Minister of Finance can respond.

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): We went through this question yesterday, actually, and I thought I answered the question to the leader of the third party.

The reality is, until all the information is in with respect to property tax assessment and reassessment in Ontario, certain decisions cannot be made. We are hopeful that those decisions will all be made and communicated to the public and to municipalities before the House adjourns. I think that's going to happen.

With respect to people having input and with respect to the level of taxation, we went through that yesterday. I'm not so sure the leader of the third party wants to go through it again, but if he does, between 1985 and 1995 education property tax mill rates in this province went up 82%, the amount of revenue went up 120%, and I am assuring you that they are not going to go up in 1998.

The Speaker: Answer, please.

Hon Mr Eves: We are going to cap them and stop this ridiculous growth and feeding off the taxpayers of the province —

The Speaker: New question; leader of the third party.

Mr Hampton: My next question is to the Premier, and I would say to the government that this is all about censorship. This is all about trying to stop municipalities from communicating —

Interjection.

The Speaker: Member for Ottawa-Rideau, come to order, please.

Interjection.

The Speaker: Member for Ottawa-Rideau, I'm not warning you again.

Mr Hampton: This is all about trying to stop municipalities from communicating legitimate information to their taxpayers. This is despicable in a democracy.

I want to ask the Premier about his change of mind about municipal support grants. It would now appear that you're not going to wipe out municipal support grants this year, that you're going to continue the \$667 million in municipal support grants this year.

Is it just a coincidence that the amount of money you are going to restore to municipalities by means of the municipal support grant is the amount the Deputy Minister of Education is obliged to cut from our schools, \$667 million? Is that just a coincidence, Premier?

1430

Hon Mr Harris: The figures that are presented have absolutely no bearing or no relevance to any of the legislation we are dealing with, to any of the grants we are dealing with, anything to do with education. You just made up a whole bunch of numbers and asked me to respond to them. They're so silly they don't even deserve response.

Mr Hampton: You always know that when the Premier doesn't have an answer he refers to his favourite book — Mr Silly. The government confessed some months ago that the value of the municipal support grant, which they determined they were going to cut, was \$667 million a year. Now we find out that the government is going to put in this \$667 million a year to tide over the municipalities. Well, Premier, if you are going to restore some of the municipal support grant or if you are going to do it through transition funds, let me ask you this: If it's important to do it for municipalities, don't you think it's also important to do it for our children in our schools, that they should have the \$667 million you are going to take from them restored as well?

Hon Mr Harris: It is difficult for me to answer and I might say that I was not referring to my favourite book but my favourite leader — same title. I want to say this: We indicated two years ago in meetings, in conferences, in speeches — the Minister of Finance, certainly I did, the Minister of Municipal Affairs — that the municipal support grant of \$667 million would be phased out over the next few years. That was 2.7%, roughly, of what municipalities were or would be spending after Who Does What.

Municipalities said: "We understand. We are with you. We can find those savings." We said there is absolutely no point in our having well-run municipalities and a bankrupt province, which we had under the Liberals and the NDP, and they said to us: "We are prepared to do our share. We are prepared to find some savings." They asked for some time and they asked for Who Does What, an exercise to assist them. We have been giving them all of these options. They fully understand that. That is exactly what we have said two years ago, a year ago, last month, last week —

The Speaker: Thank you, Premier.

Mr Hampton: We've discovered a few important things here today: Mr Silly is the Premier's favourite book — I understand, as he was talking earlier, that he wrote it or it's something like that. And we've discovered something else: that the government has now decided that instead of cutting the municipal support grants off this year, you're going to cut them off at a future date. This is known as the "Get the Members Through the Next Election Campaign" shuffle. That's what it's known as. However you describe it, Premier, it's clear that you've changed your mind on this.

I'm asking you to change your mind with respect to your cuts to education as well. Your Minister of Education got a letter from educational finance people earlier in October. It said: "If the funding model for education is to achieve the government's goals and objectives, the model must provide sufficient funds to enable boards to provide adequate programs and services to meet the needs of students. The development of such a model will take time."

The Speaker: Question, please.

Mr Hampton: Premier, will you reconsider the \$667-million cut to education? Will you reconsider that, just as you've reconsidered the municipal support —

The Speaker: Thank you.

Hon Mr Harris: I want to be very, very clear. We have not reconsidered 2.7%, \$667 million, to municipalities. They know that. There has been no reconsideration of that amount of money. That is where municipalities understand and know they'll end up.

I would say that you've told them that it's \$1 billion or \$2 billion or \$3 billion. Some have said it's going to have disastrous impacts. They understand quite fully that they have to find, on average across the province, 2.7 cents of every dollar they spend in efficiencies and savings over the next couple of years. They clearly understand that and absolutely nothing has changed in that.

When it comes to education, we are asking school boards to find efficiencies without affecting the classroom: numbers of trustees —

Interjections.

Hon Mr Harris: We were clearly quite up front about that. We felt there was waste in the number of bureaucracy, trustees, school boards administration, and we are asking them to find savings along that.

The Speaker: Answer, please.

Hon Mr Harris: I hear all the Liberals interjecting. As late as October 29, 1997, your leader said, "Everybody, I think, believes you can find room for improvement in education." You —

The Speaker: Thank you, Premier. New question.

Mr John Gerretsen (Kingston and The Islands): My question is to the Premier. If you're saying the municipalities are with you, I wonder why they're taking out one-page ads asking specific questions about the financial implications of all the downloading, questions they still don't have any answers to.

We all know there's a very close connection between Bill 160, the power grab for education so you can control

it here from Queen's Park, and the downloading that's taking place. You've been saying throughout that it's revenue-neutral. AMO doesn't agree with you; the municipal leaders don't agree with you; nobody agrees with you.

What I'm asking you is quite simple. Municipalities are concerned about their tax rate and what taxes they're going to levy next year. I simply want to know, will you commit to a guarantee in writing that if as a result of all these downloading changes there's a shortfall, you will make it up to each and every municipality? That's the question. Put it in writing.

1440

Hon Mr Harris: What I have been very clear on and the Minister of Finance has been very —

Interjections.

The Speaker: Order.

Hon Mr Harris: What we've indicated all along — what I've indicated, the Minister of Municipal Affairs and the Minister of Finance — is that there are required collectively of municipalities across the province efficiency savings of, on average, 2.7%, which comes to \$667 million. Those dollars are not going to be there two years from now. We've clearly indicated that to them.

What we did say was that to assist them to get through, there was an \$800-million fund that we announced and is available to assist them as they restructure and as they find those savings. To date, there has been absolutely nothing we have indicated that has changed that commitment. Municipalities understand that. Municipalities understand and have said, "We are prepared to find that 2.7% on average."

The Speaker: Answer, please.

Hon Mr Harris: I can assure you that, if they can find 2.7% efficiencies, property taxes will not go up. In fact, they'll —

The Speaker: Thank you.

Mr Gerretsen: Premier, the question wasn't about the municipal support grants. The question related to the relationship between Bill 160, your power control grab for education, and the downloading in Bill 152. It is quite simple: As a result of this, the finances of municipalities are going to change. Will you guarantee in writing that once all the changes have taken place and a municipality has a shortfall, you will make that up? This is totally outside of municipal support grants.

Will you make that up? Will you give a guarantee in writing that you will make up any shortfall a municipality is going to have? That's what they're asking about in these ads, where they say, "Hey Mike, show us the real numbers." Why don't you provide that information to them? Give it to them in writing that you'll make up a shortfall.

Hon Mr Harris: I'm a little surprised the Liberal Party wants us to take over and micromanage municipalities. I'm actually quite shocked by that.

I am quite confident that municipalities will (a) be able to manage their own affairs and (b) will not only be able to contribute \$667 million to our balancing our budget, as we asked them to do and as they have collectively agreed

to do, but I think many will be able to find tax reductions as well.

You stand up and you say "every municipality." Well, let me tell you, the new regional chair in Ottawa-Carleton, Bob Chiarelli, says there will be no tax increases. If you don't believe Bob Chiarelli, why don't you ask his campaign manager and his new chief of staff, Brendan McGuinty —

Interjection.

The Speaker: Member for Kingston and The Islands, come to order.

New question; third party.

EDUCATION REFORM

Mr Bud Wildman (Algoma): I have a question for the Premier. I have a letter written to the Premier by Eileen Lennon, president of the Ontario Teachers' Federation. In this letter, dated November 24, she asks the Premier to apologize for comments that he made to a Conservative fund-raiser on November 20, in which he accused teachers of having brought forward no alternatives to Bill 160. The Premier said, "Since they've offered no amendments and no alternatives and offered no more discussion, it's going to pass as is."

The Premier was wrong. The teachers of Ontario have made a whole series of proposals for amendments to the bill. I'd like to send them over to the Premier now. These amendments refer to a whole list of critical issues in education. For instance, the teachers have proposed an increase in the time kids spend in the classroom. The teachers have made proposals. Will the Premier admit he was wrong and apologize?

Hon Michael D. Harris (Premier): I think the Minister of Education can respond.

Hon David Johnson (Minister of Education and Training): The president of the OTF and the various teachers' unions did put forward certain proposals, but they did wish, for example, to continue negotiating the class size.

Mr James J. Bradley (St Catharines): Downwards.

Hon David Johnson: No, I have to say to the member opposite they wanted to continue to be able to negotiate the class size.

This government has said, "We've had enough of class sizes going up." In the elementary level, class sizes have been going up for about the last seven years. We can't allow that to carry on. We can't allow the teachers' unions to carry on negotiating class sizes up. This has happened, frankly, in too many boards over the last couple of years.

They did not bring forward any sort of feasible resolution at all in terms of the amount of time in the classroom that our students would have, preferring to add about five minutes per session rather than lengthening the number of days, as all other jurisdictions do across the nation.

Mr Wildman: Instead of responding to the amendments that the teachers' federations have put forward, the government has simply engaged in attack ads that have

attempted to paint the teachers as uncaring and not concerned about the education of students in the province.

In the Premier's speech, he said that the teachers have not wanted any further discussions. In her letter Ms Lennon says: "For almost two weeks I have been attempting to meet with Minister Johnson. We have made repeated requests through his staff. We have been told that he was unavailable. His staff offer no meeting date until after the passage of the legislation." That is Bill 160.

1450

Why is the Premier stating that the teachers don't want to meet with this government when in fact it's the minister who doesn't want to meet with the teachers and doesn't want to discuss anything about Bill 160 until after it's law?

Hon David Johnson: The facts are quite simple. We were in discussions. I was in discussions with the OTF, with the leaders of the various unions. They broke off those discussions, and they clearly said this in the media. There's no question about this. They said it's not fruitful for them to carry on the discussions any more. They broke it off. That's a matter of fact; that's a matter of record.

Recently they've been attempting to reopen discussions again. I've said, "Fine." As a matter of fact, we have a meeting scheduled for tomorrow. This meeting was mutually agreed to last week, that this would be the time we would get together. I fully intend to honour that meeting. I'll be more than happy to meet with the OTF and any other representative at any time we can both find available.

POLICE AND FIRE SERVICES

Mr John Hastings (Etobicoke-Rexdale): My question is for the Solicitor General and Minister of Correctional Services. It relates to the issue of the continuation of police enforcement in the new city of Toronto after January 1, 1998, given that the Metropolitan Toronto Police Services Board has made a decision to probably change its logo and other insignia, on its summons forms as well.

Several police officers in 23 division of the Metropolitan Toronto Police would like to know, will the changes in the format that the police services board will probably introduce in 1998 still have the continuation of the effect of law, given that somebody could be charged under the Provincial Offences Act or for other related offences, such as drunk driving? Will it continue to have the effect of law under their existing insignia?

Hon Robert W. Runciman (Solicitor General and Minister of Correctional Services): I thank the member for Etobicoke-Rexdale for the question and assure him that the government has foreseen the situation he describes. In fact, the City of Toronto Act, 1997, provides that the new city "stands in the place of the old municipality for all purposes" — emphasis on "all." I am advised that this includes policing purposes, and that therefore such a ticket would be valid. I also want to point out that, as the member knows, policing has been

delivered on a unified basis for 40 years in Toronto and that in general the interests of public safety and efficient use of taxpayers' dollars have been well served by a single police service up to this date.

Mr Hastings: My supplementary relates to a similar but somewhat unrelated concern regarding firefighters in the new amalgamated city of Toronto Fire Department. In what ways will the fire marshal's office help to facilitate the amalgamation of the six existing fire departments within Metropolitan Toronto to ensure the same general and effective level of fire protection that we've had for the last 50 years?

Hon Mr Runciman: The government has provided Toronto city hall with the tools it needs to improve fire safety in the new city. As a result of these changes, the people of Toronto will be served by one fire chief instead of six. The fire department will be able to find administrative efficiencies through central purchasing. These changes will allow the fire department to focus on front-line fire services. I should add that the Ontario fire marshal and his staff will be available to the city of Toronto and the new fire chief to assist in any way they can.

EDUCATION FINANCING

Mrs Lyn McLeod (Fort William): My question is for the Minister of Education. It seems that you are determined to push through the bill that will give you total control of education, but you still don't want anyone to know exactly what you're going to do with the power you will have. You are going to be in total control of all educational funding, but you refuse to release the funding formula that will show us where your cuts are going to be. We know there will be cuts — of that there is no doubt — we just don't know how much and where.

The public school trustees have been told that their boards will lose \$1 billion. The deputy minister's draft performance contract showed you were looking for an overall reduction of \$667 million. The Premier says you should be able to find that much just by cutting waste. You have recently said exactly the same thing, but nobody knows how you define "waste." Before you pass Bill 160 and take total control of educational spending, will you release the funding formula and show us what cuts you're going to make and where you're going to make them?

Hon David Johnson (Minister of Education and Training): In terms of the final debate on Bill 160, the government House leader will be determining when the most appropriate date for that is to occur. I can only say that in terms of the funding formula, I'm working on it in a very determined fashion, having almost daily sessions in an attempt to make sure it is fair and equitable to every board under every circumstance, in rural areas and urban areas, for special needs, for transportation, for all the different components that have to be treated fairly within that formula.

This government has committed to getting the funding formula out as soon as possible this year. I'm certainly

working towards that and very much hope to achieve that. I think the school boards will be satisfied when it does come out that it is fair. It treats everybody and every student in the province fairly.

Mrs McLeod: Minister, if you're not prepared to tell the public where your cuts are going to come, let me make it clear what we already know. We know that you cannot find \$667 million by cutting waste. You could cut the entire administration out of every board in the province of Ontario and you would still find \$667 million. We know that you are not planning to provide any new funding for the 25,000 new students who will come into our educational system next year and every year after that. We know that when you try and maintain your class sizes with 25,000 new students a year, boards are going to be forced to cut small remedial classes and they're going to be forced to close those small rural schools that you were asked about earlier today.

We know that with 5,000 or 6,000 fewer secondary school teachers, high school programs will be cut and small high schools may not survive at all. We know you will not fund junior kindergarten, and that will make it impossible for boards to offer it. Those will be the results of your taking control of educational funding. If you say it isn't true, show us the funding formula and proof.

Hon David Johnson: The member opposite claims that these are all things she knows, they're facts. Yesterday, for example, she was complaining about the dropping of the word "advisory" from advisory school councils, yet we found the Liberal red book, and what does the Liberal red book call these school councils? Does it call them advisory? Absolutely not. It calls them local school councils. This is the kind of knowledge we're dealing with.

There will be no reason for various classes to be dropped; there will be no reason for schools to be closed. There will be every reason for every board and every school across the province of Ontario to deliver a high-quality education program of excellence, one with a focused curriculum, one with better testing, one with better report cards, one with limited class sizes, where the class sizes won't continue to go up. I look forward to the —

The Speaker (Hon Chris Stockwell): New question, third party.

EDUCATION REFORM

Mr Bud Wildman (Algoma): I have a question for the Minister of Education and Training. There is increasing concern among parents, especially regarding a section of Bill 160 that creates something known as the Ontario education number. One clause of the bill, 266.3(4), says, "The minister and a prescribed educational or training institution may collect, use, disclose or require the production of a person's Ontario education number for purposes related to the provision of financial assistance associated with the person's education."

While parents recognize the need for a number for academic information to travel with the students, they're worried about this provision. The bill gives the cabinet the power to decide on purposes other than those described in the Ontario education number and to decide who will have access to it, all behind closed doors.

Is the government's intention that the Ontario education number may be disclosed to local welfare authorities or eligibility review officers for use in determining a parent's eligibility for social assistance —

The Speaker (Hon Chris Stockwell): Minister?

Hon David Johnson (Minister of Education and Training): The government's intention through the education number is to assist in providing information within the education system. I might say this number will be maintained in a fully secure environment in accordance with the Freedom of Information and Protection of Privacy Act. It will allow educational institutions to transfer information. As students transfer, it allows students to have their information more readily when they need it, and that sort of thing. It's intended as an improvement within the education system.

Mr Wildman: I understand the minister's comment, but the bill gives the minister or a prescribed institution the authority to collect personal information about a student either directly or indirectly. Despite what he says, the bill exempts this collection of personal information from a section of the Freedom of Information and Protection of Privacy Act that requires notice to be given to the individual that the information is being collected and what it will be used for. Exactly what information does the ministry intend to collect and why is it so important that this information collection not be subject to the safeguards in the Freedom of Information and Protection of Privacy Act with regard to notice?

1500

Hon David Johnson: The member opposite had asked what is the intention of this particular number, and I can only reiterate that it is a number that will operate in a secure environment, that it is a number that is intended to assist students, to assist our educational institutions in terms of the flow of information, to assist in terms of analysis, in terms of support within the education system where support is needed, and that sort of thing. I can only reiterate that the database and the numbers will be operated in accordance with the Freedom of Information and Protection of Privacy Act.

MOTOR VEHICLE SALES

Mr Trevor Pettit (Hamilton Mountain): My question is to the Minister of Consumer and Commercial Relations. As you can appreciate, purchasing a car represents probably the largest single investment that an individual or a family can make after buying a home. In the past, there has been a great deal of concern among consumers in Ontario about consumer protection and education in the automotive industry. As part of our initiative to protect consumers this government passed Bill 59 and

provided consumers with rate relief with their auto insurance. However, consumers are still concerned about being treated fairly when they purchase a vehicle.

What is your ministry doing to ensure that consumers are protected and treated fairly when purchasing a vehicle in Ontario?

Hon David H. Tsubouchi (Minister of Consumer and Commercial Relations): I thank the member for Hamilton Mountain for the question. Yes, it is true that in 1996 we gave the ability to some of the industries that are mature enough and ready enough to get into self-management. I want to make it clear, though, that the government continues to regulate these industries.

Bill 54 provides certain functions to some of these industries to really take on more of a role, including licensing, administration, enforcement and also handling consumer complaints. They have developed a business plan to deal with consumer complaints. This is very important for all of us. They have set up an appeals committee to handle the appeals, which is being chaired by one of the concerned members.

I just want to name a couple of the initiatives here. First, telephone inquiry waiting times have been reduced from 11 to 15 minutes down to two minutes. You get a real person when you call, which is kind of nice and a refreshing change, but also, after two minutes on hold, all the phones ring so you have to answer it, and I think that's kind of a neat thing to have. Second, they've initiated a pilot Web site to provide easy access to information to the consumer.

Mr Pettit: Minister, at the time Bill 54, the Safety and Consumer Statutes Administration Act, 1996, was being developed — I might add that the Provincial Auditor yesterday in his report spoke very highly of your ministry's handling and implementation of their recommendations — but at the time that act was being developed many in the automotive industry felt that self-management would lead to better consumer protection.

I met and spoke with some of the car dealers in my riding high atop Hamilton Mountain when Bill 54 was being debated in the House. They indicated to me their commitment to improving business standards in the industry and looking after consumers, who are, after all, their customers. Last January the Ontario Motor Vehicle Industry Council, or OMVIC, was created to promote these goals.

Minister, can you provide the consumers of Ontario with information on whether the OMVIC is better protecting the interests of those consumers who are going to purchase a new car?

Hon Mr Tsubouchi: Once again, I thank the member for Hamilton Mountain. We have some interesting updates in terms of figures. Between April 6 and August 15, 1996, the ministry only handled 113 written complaints, which resulted in the return of \$33,000 to consumers. In the same period in 1997, OMVIC handled 455 written complaints, which resulted in the return of \$297,500 to the consumer. Quite a change, and over 160 charges have been laid since the end of May.

On November 19, 1997, OMVIC announced that 54 individuals and companies had been found guilty of illegal sale of motor vehicles in Ontario. One hundred and fifty new investigations have been launched resulting in charges such as selling vehicles without valid registrations. OMVIC has also increased the number of dealer inspections by 30%.

I want to take the time right now to indicate, of course, that industries have shown they have been able to manage themselves in a far more effective manner and I want to applaud the efforts of OMVIC in this.

EDUCATION FINANCING

Mr Michael A. Brown (Algoma-Manitoulin): I have a question for the Minister of Education. The minister would know that Bill 160 gives him total control of education funding. The bill also gives him total control of education taxation. In short, Bill 160 gives the minister total control of education.

In my hand I have a good report from the Adult Education Centre in Elliot Lake. The principal is Murray McDonald. Murray reports that in Elliot Lake, Blind River and Spanish, of their 70 graduates this year, 83% were receiving some kind of government assistance before they went back to school. Afterwards, upon graduation, 42% have jobs, 34% are in post-secondary education and 10% are continuing their education at the high school level.

The Speaker (Hon Chris Stockwell): Question, please.

Mr Michael Brown: My question to the minister is, given that only 10% are now receiving some kind of government income assistance, will the minister guarantee that the adult education course in Elliot Lake, Blind River and Spanish —

The Speaker: Thank you. Minister.

Hon David Johnson (Minister of Education and Training): What I will guarantee again is that through the funding formula to the various boards we will ensure that all aspects of the education system at the elementary and secondary are encompassed within the formula.

I think the member raises a point in that each board faces different circumstances. That is one of the aspects of the funding formula that require a great deal of care. It has to be studied for each board, for each region, for each set of circumstances. We are doing that. We've had a great deal of input over many months, over a long period of time. When the member sees the final funding formula I'm sure he'll be pleased with it.

Mr Michael Brown: Minister, you have total control over education. We also want you to take total responsibility for education.

I also represent many rural communities and rural schools. For example, there's Sagamok, Killarney, Webbwood and many other communities along the North Shore. In this mega-world of the minister, a world of critical mass, I want the minister to assure me that at St Joseph school in Killarney, where the children would have to go

an hour and a half on a school bus every day to the closest elementary school, five- and six-year-olds will not have to make that trip and the minister will guarantee that those schools stay open.

Hon David Johnson: I think this is sort of a general, same kind of question that his colleague asked earlier.

Interjection.

The Speaker: Member for Kingston and The Islands.

Hon David Johnson: Again, there are many boards which do not have access today to the same amount of funding as some of the other boards. Many students are having to receive their education on the basis of a lower level of dollars per student than students in other jurisdictions.

What we will do is ensure that all our children in all corners of Ontario are treated fairly and equitably. Certainly in big geographic areas where transportation is a component, I can assure you that transportation is very much a significant part of the new funding formula. All aspects are being considered. That board will have access to fair and equitable funding so that its students will have the same opportunities as other students across the province.

1510

PETITIONS

RÉFORME DU SYSTÈME D'ÉDUCATION

M. Rick Bartolucci (Sudbury) : «À l'Assemblée législative de l'Ontario :

«Attendu que nous, les signataires de cette pétition, voulons signifier au gouvernement notre opposition au projet de loi 160 ;

«Attendu que le projet de loi 160 exclut les parents et les enseignants du processus de décision dans le secteur de l'éducation en Ontario ;

«Attendu que le projet de loi 160 centralise tous les pouvoirs entre les mains du gouvernement ;

«Attendu que le projet de loi 160 accorde au gouvernement Harris le pouvoir de retrancher 660 \$ millions de plus du secteur de l'éducation ;

«Nous, les soussignataires, demandons que l'adoption du projet de loi 160 soit remise et que le gouvernement entreprenne des consultations véritables et franches avec tous les groupes concernés.»

The Deputy Speaker (Ms Marilyn Churley): Could I ask people to have their meetings outside, please. It's too noisy in here.

EDUCATION REFORM

Mr Bud Wildman (Algoma): I have a petition which is signed by 95,221 people from all across this province. It's interesting to note that 95,200 is more than 10% of the total vote that the Conservatives got across Ontario in either the 1987 or 1990 election. The petition reads as follows:

"Whereas the government of Ontario has not listened to the public on Bill 160; and

"Whereas the government of Ontario has chosen to overtly deceive the people of Ontario as to the true objectives of Bill 160; and

"Whereas we, the people, believe that no government has a mandate to act in isolation of the wishes of the electorate of this province and we have lost confidence in this government,

"We, the undersigned electors of Ontario, petition the Lieutenant Governor to dissolve the Legislature and call a general election because of Bill 160."

This is from people who wish Bill 160 to be withdrawn immediately, and I submit the petition. I'll need more than one page to assist in the delivery of this petition to the table. I'm affixing my name to the petition since I also have no confidence in the government.

The Deputy Speaker (Ms Marilyn Churley): Further petitions? The member for Durham East.

Mr John O'Toole (Durham East): Thank you very much, Madam Speaker, for that very special recognition.

I'm about to present a petition that was presented to me by Mr Tully Thompson, who is the principal of S.T. Worden public school in Courtice. The principal, I guess on behalf of the parents, specifically Natalie Hemstead, presented this petition, which is incomplete. However, for the record, I will read it.

"During the past two weeks, the children of our community have not attended school. The teachers have raised the red flag concerning Bill 160. We as community members know this bill is not about provincial report cards, it's not about improving curriculum and it's not about standardized testing. As community members we are demanding that Mike Harris and the government open Bill 160 to further discussion and negotiation."

Clearly the people signing this petition didn't understand, so I'm affixing this with a commitment to dialogue with every constituent in Ontario in my riding.

Mrs Sandra Pupatello (Windsor-Sandwich): This is a petition against Bill 160.

"To the Legislative Assembly of Ontario:

"Bill 160 does nothing to improve or guarantee quality in Ontario education. It is an unnecessary and vaguely worded piece of legislation.

"This government has no business controlling issues that are best decided locally. Bill 160 is not just about teacher prep time and class size; it's about giving the government absolute control over education" — and these words are all extended in bold — "including the ability to change anything in education without debate. There is no guarantee that centralized control over education by the government will allow our schools to keep programs such as special education and extended arts. There will be no democratic process to follow if we are unhappy with decisions made.

"We, the undersigned, being taxpayers, parents and concerned community members, believe that there are other ways of controlling costs in education without the government distributing our education tax as they see fit.

We must be consulted. We want Bill 160 scrapped or amended so that control over education matters stays in the local communities with the people who know best what our students need."

I affix my signature.

Mr Len Wood (Cochrane North): I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas the government of Ontario has not listened to the public on Bill 160; and

"Whereas the government of Ontario has chosen to overtly deceive the people of Ontario as to the true objectives of Bill 160; and

"Whereas we, the people, believe that no government has a mandate to act in isolation of the wishes of the electorate of this province and we have lost confidence in this government,

"We, the undersigned electors of Ontario, petition the Lieutenant Governor to dissolve the Legislature and call a general election forthwith.

"As parents, we are extremely concerned about Bill 160 and the way it is being pushed through the Legislature. As parents, we need more time to understand the full implications of Bill 160 and we are urging the provincial government to delay passage of third reading of Bill 160."

It's signed by people from Cochrane, Kapuskasing and Hearst. There's also a number of people from Cité des Jeunes in Kapuskasing who have signed: Theresa Bezel and other people. They're very much concerned about Bill 160 and the destruction of public education.

COMMUNITY-BASED CARE

Mr Jack Carroll (Chatham-Kent): I have a petition today for the Ministry of Health. The people signing this petition strongly urge that the Ministry of Health strengthen its efforts to forward funding to maximize the community care services for the following reasons:

"(1) We believe that with the decrease in hospital beds, shorter hospital stays with early discharges and an aging population, individuals are requiring more extensive health care in the home than ever before;

"(2) We believe that increasing funding for health promotion and illness prevention activities in the community to prevent health problems before they occur is a more effective and efficient way to spend health care dollars; and

"(3) At the same time as hospitals are closing, funding for home care must keep up the pace with this rising demand."

I attach my name.

ÉVALUATION FONCIÈRE

M. Jean-Marc Lalonde (Prescott et Russell) : J'ai ici une pétition à l'Assemblée législative de l'Ontario :

«Nous, les soussignés, adressons cette pétition au nom des contribuables de Prescott et Russell au Parlement de l'Ontario :

«Nous nous opposons fortement à l'augmentation des taxes proposée pour le 1^{er} janvier, 1998. Selon un récent article paru dans le journal local, le transfert proposé des responsabilités fiscales provinciales aux municipalités dans le cadre des réformes du gouvernement progressiste-conservateur de l'Ontario laisserait les résidents de notre comté dans l'obligation de payer un déficit d'environ 19.4 \$ millions. Puisque le gouvernement de l'Ontario avait promis à ces contribuables une diminution de taxes et non une augmentation, nous sommes très déçus que ces augmentations au palier municipal surpassent de beaucoup toutes les économies que nous avons pu constater jusqu'ici.

«Ainsi, d'après ce nouveau rapport, tous les propriétaires de maisons évaluées à plus de 100 000 \$ auront à subir des augmentations de taxes foncières à l'ordre de 311 \$ à 641 \$ en 1998, et celles des résidents se situeront entre 220 \$ et 320 \$ par habitant.»

Ceci m'est parvenu par Evelyn Carbonari de Prescott-Russell. Merci.

EDUCATION REFORM

Mr David Christopherson (Hamilton Centre): I have a further 1,000 petitions from Liz Ruffall and Donna Brandow in addition to the thousands of others that I have submitted on their behalf and that of the people who sign them. They're from the parents and teachers of the schools of Sir Wilfrid Laurier, Hillsdale, Glen Brae, Glen Echo, Glendale, G. R. Allan, Strathcona, Memorial, King George, St Columba, Holy Name, Viscount Montgomery and Ridgemount, to name a few.

The petition reads as follows:

"We, the undersigned citizens of Ontario, ask you, Mr Dave Johnson, Minister of Education, to withdraw Bill 160 on the grounds that it is flawed legislation that will (a) allow uncertified teachers to teach in the classroom; (b) cause a loss to kids of thousands of teachers and increase class sizes; (c) reduce teacher preparation time, which translates into less teachers and less time for students; and (d) allow the provincial government to set the educational tax rate without provision for debate in the Legislature or at the local school board level."

As I'm in support of this, I affix my signature to it also.

Mr Ted Arnott (Wellington): My petition is to the Legislative Assembly of Ontario and it reads as follows:

"Whereas the Ontario government wants to take up to an addition \$1 billion out of the education system this year and every year; and

"Whereas the Ontario government will remove up to 10,000 teachers from the classrooms across the province; and

"Whereas the Ontario government will have unbridled regulatory powers over public education; and

"Whereas the Ontario government wishes to remove the right to negotiate student learning conditions; and

"Whereas the Ontario government proposes to undermine shared decision-making among students, parents, educators, trustees and taxpayers;

"We, the undersigned Ontario residents, petition the Legislative Assembly of Ontario to withdraw Bill 160."

It's signed by approximately 10 or 11 of my constituents.

1520

Mr Tony Ruprecht (Parkdale): This is to the assembly of Ontario, and it is signed by hundreds of people from the west end of Toronto. It reads as follows:

"Whereas the Ontario government wants to take an additional \$1 billion out of the education system this year and every year; and

"Whereas the Ontario government has decided to hire uncertified teachers in kindergartens, libraries, for guidance, physical education, the arts and technology; and

"Whereas the Ontario government wishes to remove the right to negotiate working conditions; and

"Whereas the Ontario government will remove at least 10,000 teachers from classrooms across the province; and

"Whereas the Ontario government has become the sole decision-maker on class size, preparation time and the length of the school day; and

"Whereas the Ontario government proposes to take decision-making powers out of the hands of locally elected community-minded trustees,

"We, the undersigned Ontario residents, strongly urge the government to repeal Bill 160 and create an accessible public consultative process for students, parents, teachers and school board administrators to study alternative solutions that have universal appeal and will lead to an improved educational system."

I'm signing my name to this document.

HOSPITAL RESTRUCTURING

Mr Wayne Lessard (Windsor-Riverside): I have a petition signed by hundreds of people from the Windsor area and it reads as follows:

"We, the Windsor taxpayers, petition to keep our hospital rooms open and not to close entire floors due to a lack of funds from our government. With a population of 200,000 people and a new casino and other industry on its way, we as Windsor residents have a right to the same health care for our tax dollars as London, Toronto and other cities in Ontario. Our city is growing and we feel very strongly about keeping our hospital rooms open.

"We ask the minister to take this matter seriously and respond by reopening all the closed floors of the hospitals and designate adequate funding for nurses so that we may be taken care of as taxpayers. Allowing hundreds of empty beds to stay closed while people are put in hallways for numerous days is a disgrace.

"As you will see by the names, this will not be forgotten and will not disappear. We want our hospital rooms to be open and ready to care for the sick."

HOMEMAKER SERVICES

Mr Tom Froese (St Catharines-Brock): I have a petition here that the Red Cross homemaker service of

Niagara wanted me to read in the House. It's to Jim Flaherty, Minister of Labour, Elizabeth Witmer, Minister of Health, and MPP Frank Sheehan.

"The Red Cross homemaker service is so vital in Ontario communities. At this time we, the Red Cross homemakers of Niagara, would be willing to forfeit the pay equity increase that has been legislated in order that this valuable service stay competitive and not have to cease. Please help us save our jobs within this organization."

As I am in agreement with it, I affix my signature.

EDUCATION REFORM

Mr Gerard Kennedy (York South): "To the Legislative Assembly of Ontario:

"Whereas the Ontario government wants to take an additional \$1 billion out of the education system this year and every year; and

"Whereas the Ontario government will remove up to 10,000 teachers from classrooms across the province; and

"Whereas the Ontario government will have unbridled regulatory powers over our public education; and

"Whereas the Ontario government wishes to remove the right to negotiate student learning conditions; and

"Whereas the Ontario government proposes to undermine shared decision-making among students, parents, educators, trustees and taxpayers;

"We, the undersigned Ontario residents, petition the Legislative Assembly of Ontario to withdraw Bill 160."

This is signed by hundreds and hundreds of thoughtful citizens in the riding of York South and I affix my name to this petition to signify my agreement.

ORDERS OF THE DAY

FISH AND WILDLIFE CONSERVATION ACT, 1997

LOI DE 1997 SUR LA PROTECTION DU POISSON ET DE LA FAUNE

Mr Snobelen moved second reading of the following bill:

Bill 139, An Act to promote the conservation of fish and wildlife through the revision of the Game and Fish Act / Projet de loi 139, Loi visant à promouvoir la protection du poisson et de la faune en révisant la Loi sur la chasse et la pêche.

Hon John Snobelen (Minister of Natural Resources): The proposed Fish and Wildlife Conservation Act will help ensure conservation and management of the province's abundant fish and wildlife resources. It will contribute to the sustainability of the environment, social and economic benefits associated with those resources,

and it will give Ontario tougher fish and wildlife enforcement provisions.

The Fish and Wildlife Conservation Act would replace the Game and Fish Act, a patchwork piece of legislation that contains outdated language and inadequate provisions to protect this province's fish and wildlife. Improvements to the management of our fish and wildlife resources are a priority for our ministry. That is why I am pleased to be moving ahead with our government's promise to modernize fish and wildlife legislation.

Ontario supports a rich and diverse ecological base, including extensive forests, fresh water and coastal wetlands, 250,000 lakes and thousands of kilometres of rivers. The diversity of wildlife and fish supported by these habitats is equally rich. Ontario is home to more than 140 species of fish, 80 species of amphibians and reptiles, 85 species of mammals and 400 species of birds. Millions of people participate in activities related to fish and wildlife in this province. Recreational fishing alone provides employment for more than 55,000 people and contributes \$2.4 billion annually to the economy.

The Ontario government is committed to both the responsible management of the province's fish and wildlife resources and to national and international conservation efforts. The new act includes positive legislative changes in three major areas. It toughens and strengthens enforcement provisions, it protects and manages a broader range of species, and it provides improved client service.

I will detail each of these areas today, but first I'd like to review the current legislative framework in order to illustrate the need for this act.

The Game and Fish Act is the major provincial legislation providing for the management, perpetuation and rehabilitation of fish and wildlife resources in Ontario. In addition, a number of provincial and federal laws are used in Ontario for the management of the province's fish and wildlife populations and their habitats. These laws include the Endangered Species Act, the Provincial Parks Act, the Crown Forest Sustainability Act and the federal Migratory Birds Convention Act.

For a very long time it has been recognized that the current Game and Fish Act was not adequately providing for the conservation of Ontario's fish and wildlife, either now or in the future. The consensus on the need for changes to the act has been clearly demonstrated through consultations over the last several years with a wide variety of client groups.

The courts have also signalled the need for change. In a decision on a wildlife issue in 1987, an Ontario Court of Appeal judge commented that the Game and Fish Act is "unclear and confusing" and that it "cries out for review and revision by the Legislature."

In recognition of the need for action several important revisions have been made to the Game and Fish Act. One of the first steps in 1996 was the creation of a special purpose account to ensure that every dollar of fishing and hunting revenues goes back into fish and wildlife programs. This was an important commitment by this government to the hunting and angling communities.

In 1996 the ministry established the Fish and Wildlife Advisory Board to provide advice on the management of this special purpose account and on other fish and wildlife matters. The advisory board is a good example of how this government is keeping its promise to restore public accountability.

At the same time, a commitment was made to ensure legislative changes to address other issues related to the sound management of Ontario's fish and wildlife resources. In the spring of 1996, MNR formed a project team to address that need. The result of their work is the Fish and Wildlife Conservation Act.

The legislative changes contained in the Fish and Wildlife Conservation Act are based on input received through extensive consultations with client groups conducted over the last several years. Meetings were held in the fall of 1996 with more than 20 major client groups. They represented a wide variety of interests, including recreational hunting and fishing, commercial fish and wildlife industries, animal welfare, agriculture, naturalists, zoos, and tourist operators.

1530

When ministry staff met with the client groups last fall, they received strong support for the proposals I'm about to highlight for members. I'm pleased to say that there was also strong support for the first reading of the Fish and Wildlife Conservation Act this past June.

I would like to describe now how the Fish and Wildlife Conservation Act addresses long-standing concerns with the current Game and Fish Act. I'll begin with the enforcement capacity.

Ontarians place a high value on this province's fish and wildlife resources. I'm happy to say that the new act reflects that value. This bill, if passed, will bring our enforcement provisions in line with updated fish and wildlife legislation in other jurisdictions. It will also be in line with other fish and wildlife legislation, such as the Migratory Birds Convention Act, which is enforced by our conservation officers.

Offenders under the proposed act will face the toughest penalties in Ontario's history. For example, the fine for commercial offences will be increased to a maximum of \$100,000, four times the previous maximum of \$25,000. The Fish and Wildlife Conservation Act will provide for jail terms as a potential penalty for any offence. In addition, the courts will have increased powers to suspend or cancel licences and to order violators to take training courses.

Mr John Gerretsen (Kingston and The Islands): Point of order, Madam Speaker: I know this is an extremely important bill that the people of Ontario are just crying out for. I think there should be at least a quorum in the House to ensure that all the members can listen to the eloquence of the minister. Would you check if there's a quorum?

The Deputy Speaker (Ms Marilyn Churley): Yes, I will. Is there a quorum?

Clerk at the Table (Mr Todd Decker): A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

The Deputy Speaker: Minister?

Hon Mr Snobelen: I thank the member opposite for his comments on both the importance of the legislation and the eloquence of the delivery.

The limitation period on prosecutions will be increased to two years from six months. This will allow our conservation officers to better address the complex resource violations and to work more effectively on joint undertakings with enforcement staff in other jurisdictions.

Enforcement provisions will be more effective because the provisions in the new act reflect modern technology. For instance, as a part of the inspection provisions of the act, a conservation officer may access computer systems to examine information related to fish and wildlife.

Enforcement is a priority for this government. Maintaining the number of enforcement staff, coupled with the new enforcement provisions in the Fish and Wildlife Conservation Act, will help us to more effectively protect and manage our fish and wildlife resources.

The new act protects a broader range of species, more effectively and efficiently than ever before, and includes provisions for the protection and management of species of particular concern to the public. Additionally, the new act builds on and complements Ontario's efforts to protect and rebuild endangered species populations.

This province has one of the best endangered species programs in Canada. Ontario has demonstrated its leadership through the Endangered Species Act, which protects endangered animals and their habitats, and through its strong participation in the Committee on the Status of Endangered Wildlife in Canada.

In addition, Ontario is involved in recovery programs for threatened species, and in land owner incentives such as the conservation land tax reduction program, which encouraged protection and conservation of endangered species habitats. The new act enhances these protective efforts by affording protection to many additional species of vulnerable and threatened wildlife.

The current Game and Fish Act focuses mainly on game species. The new act, however, responds to client groups and members of the public who want a legislative basis for protecting and managing a broader range of species. The Fish and Wildlife Conservation Act will continue to address a diverse array of game species, including fur-bearing mammals, game animals and game birds.

The Fish and Wildlife Conservation Act will provide for the protection and management of specially protected species of concern to the public, including mammals such as the eastern chipmunk and the northern short-tailed shrew, raptors such as the bald eagle and other specially protected birds such as the gray jay and the belted kingfisher, reptiles such as the blue racer snake and the eastern massasauga rattler, amphibians such as the Fowler's toad and the eastern tiger salamander, and invertebrates including the spicebush swallowtail butterfly. I know the Speaker is particularly concerned with that.

Our stewardship for these specially protected organisms will be demonstrated through a general prohibition on hunting, taking or trapping these species designated as specially protected. The species which are the primary focus of the act are clearly identified in schedules attached to the act, providing a quick and easy reference for the people using the act.

A broad range of clients have voiced support for changes to the way we manage black bear in the province. In response, the Ministry of Natural Resources has continued to make important research and data collection programs a priority. It has strengthened legislative and regulatory provisions related to the black bear. Most recently, as a result of the Ministry of Natural Resources Statute Law Amendment Act, changes were made to the Game and Fish Act to prohibit the sale of black bear parts, regardless of their place of origin, and to limit bear hunters to one licence per year.

The new act will contain a number of additional improvements for the protection and management of this species. Black bear will receive additional protection through a prohibition on interfering with black bears in dens and on intentionally damaging or destroying black bear dens. Black bear will also be added to the list of species that may not be hunted while the animal is swimming.

A great deal of concern has been expressed at both the international and local levels about the illegal trade in animal parts, especially bear gall bladders. Under the new act, there will be a prohibition on possession of a black bear gall bladder separated from the carcass. There will also be a general prohibition on the sale of animal parts that are represented to be bear parts.

In addition to this special protection for black bear and bear parts and as part of our commitment to international conservation efforts, there will be an additional prohibition in the new act on possession of wildlife invertebrates and fish that have been illegally taken in another jurisdiction. The new act clearly provides for strong, effective controls that will help ensure the long-term conservation of Ontario's wildlife, including its black bear populations.

The new act not only clarifies relationships with our clients, it is also presented in a well-organized format that makes it easier for both clients and administrators to read, use and understand. The new act takes into consideration the important services provided by volunteers, whose work is strongly supported by the public. It provides a much-needed legal framework to recognize the efforts of volunteers who rehabilitate injured, sick or immature game wildlife and specially protected wildlife.

Many volunteers collect data on our behalf about species of concern and their habitats. To assure these volunteers that the data they provide us will not be misused or fall into the wrong hands, the new act proposes that the Minister of Natural Resources be given the authority to refuse to disclose, by amending the Freedom of Information and Protection of Privacy Act, information

that could reasonably be expected to jeopardize fish and wildlife species at risk.

In updating the old act, we have also clarified the issue of nuisance animal control. The Game and Fish Act included a general prohibition on hiring someone to hunt on your behalf. In most cases this made sense, but it didn't take into account situations where a property owner wanted to hire an animal control agent to deal with a nuisance wildlife situation. To address this, the Fish and Wildlife Conservation Act will clearly allow a property owner to hire an authorized animal control agent.

1540

The proposed Fish and Wildlife Conservation Act includes additional provisions to make it broader and more effective than the existing Game and Fish Act. For example, legal barriers in the Game and Fish Act had made it difficult for the government to enter into resource management partnerships with our clients. The new act includes a provision to facilitate new business relationships. For instance, plans are under way for the Ontario Commercial Fisheries Association to take on greater responsibility for the administration of the commercial fisheries. Legislative changes contained in the Fish and Wildlife Conservation Act will help make this partnership an effective one.

The Fish and Wildlife Conservation Act will also include provisions to protect from harassment those people who legally hunt, fish or trap. Ontario is one of the few jurisdictions in North America that does not already have this type of protection in place. These measures would make it illegal, for instance, to interfere with lawful hunting by tampering with a firearm or other hunting device, by disturbing wildlife in order to prevent it from being legally hunted.

We have listened to the concerns of Ontario citizens regarding fish and wildlife management in this province, and we have responded with the development of the new Fish and Wildlife Conservation Act. This legislation will help to ensure the sustainability of the province's fish and wildlife resources and provide Ontarians with the social and economic benefits associated with these resources. I believe this proposed legislation provides a solid foundation for the conservation and management of wildlife and fish in Ontario well into the next century, and I encourage all members to assist with the speedy passage of this bill.

The Deputy Speaker: Questions or comments?

Mr Gerretsen: Let me first of all say that I don't think there's anybody in this House who doesn't agree that this is an important piece of legislation. But I'm just wondering, with everything else that's going on in this province right now, whether the people we've got in the gallery today came here to listen to a debate on Bill 139 or whether they thought they were going to hear a debate on Bill 149, which deals with the total reassessment situation that's going to happen in the province. Or did they come here to listen to Bill 160, the education bill, about which all of us have received numerous telephone calls and numerous pleas to please do something about it? Or did they come here to listen to a debate on Bill 152, which is

the municipal downloading bill? I think that's what the people of Ontario want to hear about at this time. They want to know what's going to happen in education, what the future of education is in this province. They want to know how much they're going to be paying next year in property taxes.

Today the Premier wouldn't even guarantee the taxpayers of this province that as a result of all the new financial arrangements that are going to be made between the province and the municipalities when you look at the education taxes and the downloading, taxes won't go up in different municipalities.

As a matter of fact, we've had municipal leaders having to take out full-page ads asking the Premier some basic questions that should have been answered for them without having to go to a public ad campaign to get the answers, and they still don't have them.

This is probably commendable legislation, although we'll have a lot to say about that, but surely there are more important pieces of legislation to deal with in this House than Bill 139.

Mr Len Wood (Cochrane North): Briefly on the comments of the Minister of Natural Resources, we have a piece of legislation that is going to change the name of the Game and Fish Act, and they're saying now it's going to be better right across the province for protection of wildlife.

At the same time, people right across this province will realize that when this government got elected, one of the first things they did was to lay off between 900 and 1,000 MNR employees. How are you going to bring in legislation and enforce the rules under the Game and Fish Act or any new name you give to the act if you're going to lay off all the employees and decimate some of the communities that depended so much on MNR people being there?

I listened to what the minister was saying, that he's looking for support on this legislation. I didn't hear him say very much about public hearings, how long we're going to have public hearings and where the committee is going to travel when we have public hearings on Bill 139, the new Game and Fish Act. There are concerns out there. People would like to have a dialogue and bring ideas and suggestions forth on amendments and changes of certain wordings in the new piece of legislation. That's going to be interesting. I'll wait for the response from the minister on whether we're going to have the hearings in northern, northwestern and northeastern Ontario or just in his own riding in Mississauga. If that's all we're going to have, there aren't that many bears and fish and wildlife in that particular area, Mississauga. We need travelling throughout the north.

Mr Ted Chudleigh (Halton North): The Fish and Wildlife Conservation Act will, when passed by this Legislature, replace the Game and Fish Act. The act will provide for the conservation and management of wildlife species in Ontario. It will also allow the Ministry of Natural Resources to allow for better protection and management of the broad range of species we have and

enjoy here in Ontario. The bill will provide for the protection and management of both game species, such as moose, wild turkey and black bear, and specifically protected species and non-game wildlife, such as the northern flying squirrel, which I'm sure many people in Ontario don't realize is a species in Ontario; the peregrine falcon; the milk snake and some of the other species the minister mentioned in his opening comments; along with the gray jay, which is rare in Ontario and is generally only seen out by the Lakehead; and the giant swallowtail, which is again protected. If anyone has ever seen a giant swallowtail, they will agree with this bill and that that beautiful bird should be protected under this new legislation.

Mr Gerretsen: What does it look like? Draw us a picture.

Mr Chudleigh: I could draw the member from Kingston a picture. In fact, you can find it located north of Kingston in the Rideau Lakes, which is a natural habitat, as rare as it might be. I know the member from Kingston may not be out birding as often as some of his constituents, because he's obviously always busy in the House, but I can assure him that many of his constituents enjoy this particular sight in his riding.

This bill will also identify as specially protected under the bill those animals specifically that are not to be hunted or trapped. That will allow the Ministry of Natural Resources to provide for better management in Ontario.

Mr Michael A. Brown (Algoma-Manitoulin): I want to indicate to the minister that his job may be a little bit easier than his previous one: The crisis has already been created in the Ministry of Natural Resources, so he need not manufacture it.

In speaking to this bill, I found it passing strange that the minister did not talk about the development of this bill over a long period of time. If the minister understands, it has been about 15 to 20 years in the making, under a Conservative government, then a Liberal government and then an NDP government. We're very happy to see it here before us today so we can discuss it.

As a matter of fact, we had asked that this be heard in June. Instead of the government's agenda of education downloading and education control, instead of the municipal downloading, instead of all those bills that we have spent an inordinate amount of this place's time on and that many people disagree with, this is a bill that I think most Ontarians can support. This is the kind of legislation that will do good things for Ontario, so I'm commending the minister for finally getting it out here so we can debate it. But they've wasted a considerable amount of time. I was briefed on this bill back in June by the ministry. I understood what the issues were. I've been receiving correspondence about this bill over time, but basically we could have dealt with this bill long ago in a short period.

I think that the minister in his reply should acknowledge the hard work of the people in the ministry and the former ministers of natural resources, who have put so much time and effort into finding, mostly, a consensus on this bill.

The Deputy Speaker: Minister, you have two minutes to sum up.

1550

Hon John Snobelen: I do note with some interest that the members opposite have shown the same kind of interest in this bill as the last bill I introduced for second reading in this House a matter of five or six weeks ago.

I concur with the observations of the members opposite that this bill has been developed after many years of political parties of various stripes being in power in the province, that it reflects a concern that has come forward over the course of very many years and a whole series of consultations with various stakeholders across the province.

I think everyone in this chamber wants to make sure that we have the legislation necessary to protect the fish and wildlife in the province, and I am very pleased and glad to present this bill to the Legislature for second reading today. I think it's an important improvement in our ability to protect for future generations the wildlife and the fish in this province.

The Deputy Speaker: Further debate?

Mr Michael Brown: I think it is important that we're dealing with this bill in a timely fashion. It would have been better to have dealt with it back in June, but at least it is here today to begin the process of second reading. I want to make it clear from our position in opposition that there are still some problems with this bill, that there are still some groups that need to be heard, that some public hearings need to be held so that people have some level of comfort that their particular concerns with various parts of this bill have been heard.

One must look at this bill, however, within the context of what's going on with the Ministry of Natural Resources today. It is just one part of a very large picture. There are things going on in the Ministry of Natural Resources that I don't believe any Ontarian can support. We have seen a downsizing of this ministry that is grotesque. We are now seeing about only half the ministry employees that we had some time ago.

What does that mean? It means a great deal. It means that the ministry's ability to enforce this act or any act is highly suspect. We used to have a couple of thousand more good people on the crown lands and in southern Ontario in our provincial parks and throughout the province that had fish and game, wildlife, as one of their primary concerns. They're gone.

One of the things that many of us decry is the fact that I never visit an MNR office where I don't learn of another senior employee about to take early retirement. The institutional memory in this ministry has all but been cut off. Good people with long experience in dealing with issues are now retired or were pink-slipped some time ago now.

What that means — and you would enjoy this if you are thinking about conflict of interest, and I think this is one thing we should understand — is that in, for example, the forest companies of Ontario, you can look down their list of employees and find large numbers of ex-MNR employees. They are good people, they are quality people, they are expert foresters, they are good managers, they are

tremendous people. But one would somehow be at least a little concerned to know that their relationship with the ministry is probably sometimes, one might say, a conflict position. They are dealing with their friends, people they had worked with for 20 or 25 years. It is not the kind of arm's-length relationship that one would want to see, at least in terms of transparency, in the management of Ontario's resources.

Take, for example, conservation officers. Although we have, and the minister will tell you, the same number of conservation officers in the province, many of those folks are not in the forests of Ontario; they are riding desks. That's where they are. They are in offices doing administrative work. They are not out seeing what's going on in our forests, with our wildlife. They are riding a desk.

For the ones who are in the field, the minister will tell you he is very proud of the fact that we bought 50 new trucks for our officers. That's good. We needed new trucks. But I'm told by conservation officers that they have a limit on how much money they can spend for fuel, for maintenance of those trucks and for meals if they are away from home. If you know anything about MNR conservation officers, you will know that they are away from home or their office most of the time. I am told that in many cases, for sometimes the last week or so of the month they can't go anywhere. They have expended what they have to expend for the month. If someone is violating the law, doing something in contravention of this act or any other act, they can't police that. That is truly, truly unfortunate.

When we talk about managing for game, for fish and wildlife, we talk about their habitat. We talk about where it is they live and where they will flourish. We have in the province now — and I suspect that only a minority of the people here today in this Legislature know this — a government program going on today called Lands for Life. Lands for Life has tremendous implications for wildlife, something this bill doesn't address whatsoever.

Do members know that 45%, maybe closer to 50% of the land mass of the province of Ontario is about to be divided up? There is to be a plan for 45% of the land mass of the entire province —

Mr Mike Colle (Oakwood): On a point of order, Madam Speaker: It was our understanding that Bill 149 was supposed to be on the order paper today. Is it going to be on, or what is the ruling on that? Has a ruling taken place?

The Deputy Speaker: It is my understanding that that is not a point of order. The House leader has the liberty to call whatever he wants. That's the rule.

Mr Colle: I understand there was a ruling of the Speaker on the member for Algoma's point.

The Deputy Speaker: No. I have been told by the clerks. Obviously, I wasn't in the chair at that time, but no, there hasn't been a ruling, and this is not a point of order. This has been called and that's what we are debating now.

Mr Colle: So Bill 149 isn't before us?

The Deputy Speaker: No.

Mr Colle: Is it going to be later?

The Deputy Speaker: I don't know. I don't know what's going to be later. We won't know that until 6:30 or later this afternoon. Member for Algoma-Manitoulin.

Mr Michael Brown: As you recall, I was speaking to a government program that speaks directly to habitat, directly to where game and fish are. I have before me one of the publications involving Lands for Life. This one in particular isn't a ministry document but is printed by someone or a group that is very concerned about the direction of Lands for Life, and they are having meetings across this province, across all of northern Ontario and I believe in some parts of southern Ontario. But the public is not really understanding this. For southern members, you have to understand how big this is. This is close to half the province of Ontario. It's like drawing an official plan, only in much of these areas there are no people. That's the reality, and in many of those areas that's the way we want to keep it.

1600

But the fact that we have this huge undertaking going on by government, with very few people understanding that it's even going on and people not understanding at all what the impact is, is of great concern to fish and wildlife management in the province of Ontario. I was very surprised that the minister in his comments didn't even allude to such a program.

Lands for Life: Who would be involved? What interests might be involved in this particular exercise? There are a number. There are people who are interested in provincial parks. There are people who are interested in preserving and protecting more of Ontario, and that's a good thing. I think we all say that. There are people and industries that are interested in harvesting the timber of this great province, and that's a good thing. There are people who are interested in remote tourism, where you have a camp on a lake and you don't want everybody having access because that would diminish your opportunities for fishing, for some hunting etc. They don't want encroachments by the logging companies, so they have a very particular interest.

We have the huge group of hunters and anglers across this province. I don't know what the latest numbers are, but there are 80,000 or 90,000 people in the OFAH and there are thousands more, probably tens of thousands, who take advantage of Ontario's angling opportunities and hunting opportunities. They have a very particular interest in this Lands for Life exercise.

We have our first nations. They have a very particular interest in this Lands for Life exercise.

Yet as I look around, I don't see very much concern about managing the land base and our water so that we can actually do what this Fish and Wildlife Conservation Act purports to do, and that's to protect fish and wildlife. If anything — I'm putting this out before the members. This is something you need to understand. This is something that is a big issue that has not, for whatever reason, received the kind of public attention it should have received across the province.

For a moment I think I'll just go back and discuss the fish and wildlife act itself. Having been through the Bill 162 exercise under the former government, we knew that there were a number of sections of that bill that encouraged some debate. We knew, for example, that there was a great deal of concern about the farming of wildlife and the importation of other species of wildlife, those concerns for the environment in Ontario, and at the same time the business opportunities that a deer farmer, for example, might bring. Many people in the farming community were very concerned that they would be shut out of what is a lucrative business.

What does this act do? This act doesn't answer the question. This act does not decide the issue. This will be decided, apparently, somewhere down the road by a panel. That might be good and it might be a decision we can all support, but what it means is that the Legislature will never get another look at what the answer to this question on deer farming or any type of farming of wildlife might mean.

We need to have some committee hearings so the members of the Legislature will at least understand the point of view of the farmers who are interested in pursuing this particular line and the concerns of conservationists and of the Ontario Federation of Anglers and Hunters and others that also have concerns about whether a deer might escape, whether some wildlife might bring disease, whether we might have a mutation of a herd, whatever. There are concerns on both sides of this issue and they need to be brought forward.

I'm saying to the minister that we need some hearings so that we can understand from those affected parties how just that one particular issue — and that one sticks in my mind as one of the big hangups as to why 162 was never finally taken through the Legislature. It was very difficult to find the resolution. It seems to me that I'm seeing a softening of positions from the various groups involved and that a consensus may arise on how this may be done, but I am telling the members that here in this bill there is not a resolution to that particular issue.

I also have a letter, actually a number of letters. But I have one from Hinds and Associates, who work very closely with the aquaculture community. This is the community that represents the fish farmers of Ontario. It is a growing industry. It is getting to be a huge industry. Mr Speaker, you would appreciate that they also supply smoked fish at many of their establishments.

But this is a serious issue because aquaculture, the farming of fish, is becoming a large and important employer. They produce quality products that many of us have seen in the restaurants across this province and others. I think particularly of rainbow trout. In the constituency of Algoma-Manitoulin, we are probably at the leading edge of aquaculture in the province. I've lost track, but we have a number of first-rate companies supplying fresh fish, frozen fish and smoked fish to the province.

In many ways, when our lakes and rivers are under pressure from competing interests, whether they be com-

mercial fishermen versus anglers etc, this is an expanding industry because, run properly, it will provide great opportunity and a valuable product to our people. It employs, as I say, a growing number of people within the province.

The aquaculture industry has some very large concerns with this act and they want to understand how they fit into this act. I think that's important for all of us to know, that there are a lot of competing interests when you start talking about fish and wildlife conservation.

I also have a number of letters, and I note that this was a significant issue as we dealt with the previous bill. This is from the Ontario Hawking Club and it brings their concerns before us. As you know or as many people would know, as I guess one would say a hobby, but I think it's more like a calling, people keep hawks and falcons and those kinds of things, raptors, for hunting purposes. It's a long tradition, thousands of years old in our society, in our civilization. They are extremely concerned with this act and they should have a right, they need the right, to come before a legislative committee and put their particular point of view in front of the people of Ontario so that legislators have some sense of how they might be further accommodated if, indeed, the regulations, or the bill itself, do not, at this point, do that.

1610

Those are but a few. I'm certain that the first nations communities also have concerns. I have discussed it with a number of the chiefs and they would like to make some submissions in committee because they are wondering about certain sections and how it impacts first nations people.

While I would say, on the whole, this act is one that most of us could support, it does need the careful consideration of public hearings and it does need the careful consideration of all points of view.

The minister, in his opening remarks, talked a little about the special account for fish and wildlife licensing revenues, and we applaud the government for establishing that. But I want to make it perfectly clear we also have some problems with the operation of that particular special account. The first thing people should know, and the hunters and anglers of this province would know, is that it does not mean more money. There is actually no more money being spent on the management of fish and wildlife in this province than there ever was. As a matter of fact, it is slightly below levels of six or seven years ago.

While they have a special account, and there are good people supervising that special account, it does not mean there is, in total, more money being expended in this particular account. That's something that really has to be made clear, because I hear some nervousness on behalf of the hunting and angling community that what they're about to see is increases in their fees, increases in their licences so that the government will have more money. The government share, which is now about 20% of the fish and wildlife budget, that money will no longer come from government but will totally come from the people who pay the fees.

I suppose there could be a debate about that, but many people are concerned that that's the direction that this government's going. That would mean that the people of Ontario who have a vested interest in maintaining fish and wildlife, not just for a particular part of the community, that is, the people who hunt and fish, but for everyone, would therefore not have any investment in maintaining those. All Ontarians believe that the management of fish and wildlife goes far beyond the particular purposes of anglers and hunters and perhaps commercial fishing. That's just there.

The other concern I mentioned, and this is really interesting: The government in that account is maintaining a balance of \$15 million to \$20 million at all times. There's always \$15 million to \$20 million in that account, all the time. The government is paying the lowest possible interest rate on that amount of money that can be paid. They use a 30-day money market average where — because large portions of the money are always there, meaning \$15 million to \$20 million — you could easily negotiate, with any institution, a far better return for the anglers and hunters of this province. But the government has been negligent about that.

I had an undertaking at the estimates committee that the former Minister of Natural Resources would look at this issue — because I know the members on the other side understand these issues — and that 2% or 3% additional on \$15 million or \$16 million is real money, and it adds up. It would be helpful and it doesn't cost the taxpayers any particular sum; it costs us money when we don't manage effectively and efficiently the assets that we have. If I were an angler and hunter or a commercial fisherman who's paying fees into this fund, I would like to know — I think the word they use in the financial community is that the money is managed a little bit more aggressively, so that we get the kind of return that's there on those kinds of funds.

One of the things I really find interesting, though, is that the government itself is probably the borrower. Maybe I'm contradicting myself when I say that I guess the taxpayers of Ontario do benefit because they're borrowing money at about 1% or 1.5% instead of the normal 6% or 7% on the market. The way this is set up is pretty shoddy over there for a group that insists they're business people and insists they understand business.

The way this account operates may certainly provide the province a good deal because they're not paying the interest, or it's paying the people who put the licensing fees in here and expected a bigger return a far poorer return than they should get. Maybe the back bench, when you're talking to the minister, should say, "Get with the tour; maybe there's something in this act we could do to fix that," and insist that the return on investment from that special account set up for fish and wildlife is actually invested and then spent on management tools in the fish and wildlife area.

I have some other concerns when we talk about managing our fish and wildlife. One of those of course is, and anyone would tell you, the biggest single determinant

of the fish population, for example, is water quality. That is not rocket science. Yet we have a minister who has refused to enforce the federal Fisheries Act. He's got a spat going on with Ottawa. That's fine, if you want to have a spat. But don't stop enforcing those federal fisheries regulations until you resolve it. Holding the water quality hostage while you have a jurisdictional dispute with another level of government is not, in my view, good public policy.

If you can resolve it with the federal fisheries minister, that's great. I've actually written the federal fisheries minister myself to say, "Try to work it out with these guys; try to find a solution." The province of Ontario, like other provinces, has been enforcing this act for a decade. This new government here in Ontario, which is obviously very strapped for cash these days, thinks the federal government should pay some more money for that. If that's the case, that's the case. But don't stop doing it; don't go on strike and stop enforcing a Fisheries Act that protects the habitats that our fish need. That's what you've done, and every Ontarian would have great problems with that.

I'm saying to you over there, think about what you do once in a while. Make sure that you tell your new Minister of Natural Resources — because maybe he'll take a more enlightened view; I'm not so sure he will, but tell him — to enforce the law as he proceeds to try to get a new agreement with the federal government. That would make far more sense than to have our fish populations in danger because the minister will not enforce the regulations under the fisheries.

In Canada, being a federation, we obviously have different acts of different provinces and federal statutes, and one of the goals that Ontario should have is to be a leader in fish and game management. We should be the best. We should do this better than anyone else. This act that we see before us, one might say, is more an act that brings us to average. We've compiled things, we've simplified much of the wording, we've assimilated a number of acts together, and all that's good, but I'm not very certain that it takes us to the forefront of protecting wildlife and fish in this province because it doesn't address, as I said, many of the habitat issues that we have here in Ontario.

1620

The World Wildlife Fund, for example, has a program called Endangered Spaces. Under Endangered Spaces, they were asking that 10% of the province be placed in protected areas. In 1989 — I believe that was the initiation of the World Wildlife Fund initiative — Ontario was at the forefront. It was the best. On our report card in that year, we in Ontario proudly got an A. Last year the province proudly got an F. "Proudly" is obviously the wrong word. If we're getting an F, ladies and gentlemen on the other side, we are obviously going to have to do better.

I come back to Lands for Life. Lands for Life has the opportunity to do better but it is a hornets' nest of competing interests. I talked to some of what you could

call the interest groups — I know you like to call people interest groups over there — the various interests that have to do with the forests of Ontario, and they have told me that this particular initiative, Lands for Life, rather than attempting to solve and provide for endangered spaces, has turned many of the groups upon one another. Just slightly below the surface, if you scratch the surface, there's a battle royal going on that most Ontarians don't know about.

Mr Speaker, I know, as someone who loves to fish, you would want in your particular area of the world — I believe around Mattawa somewhere, if I recall — some input into the crown lands that surround you because obviously it affects you. You're one of the many special interest groups. You're someone who cottages on the lakes, using the land that is largely crown in Ontario. The government considers you obviously to be a special interest group, and that's true. Cottaging in Ontario and in northern Ontario in particular has great potential and needs to be done right.

I want the members over there to understand, and I know many of you have some municipal background, what it would be like to be providing an official plan for 50% of the province when local input in many places is hard to get because there aren't any locals. If you go to the local community itself, they may give you a slightly different take than if you took that over a larger area.

I'm challenging the minister, the parliamentary assistant and the ministry to get some more information out there about Lands for Life and probably slow this process down a little bit, given the lack of public knowledge about it, so that we as Ontarians can understand about our resources, because the stewardship of our resources is one of the most important things we do.

I represent an area where forestry is the major industry. The largest centre in the present constituency — it's not the largest centre, the second-largest centre — is Espanola. We have the E.B. Eddy mill there. Just down the road a little bit at Nairn Centre we have the E.B. Eddy sawmill. Much of the land in our part of the world is under SFL, sustainable forest licences, to E.B. Eddy. Then there are large tracts of land at present which are crown units, we call them, that are under the —

Ms Shelley Martel (Sudbury East): Management.

Mr Michael Brown: That's a good word — under the management of the MNR at present, but soon to be under the management of somebody else. Who that somebody else is is quite a problem. As we try to sort through these, what we're finding is that the large companies are in control through the SFLs of more and more of the land base because they are now, under law, having to provide the plans. The company itself draws up the plan, the company itself shows what they're going to harvest, what they're going to protect, who is going to be allowed to have a resort over here, who is going to be allowed to go fishing over there and all that nitty-gritty sort of stuff. It goes out to public review and there is hopefully input on that, but the problem is, at the end of the day, the MNR is no longer there at all.

It used to be that MNR had the authority. They would be in the forests of Ontario and they would not only watch what the forestry companies were doing — I'll tell you, our forestry companies are probably the most responsible in the world but even they at moments have lapses. So to have the forestry people from MNR out there made sure that people could monitor what was going on. But they're not there any more, which means the enforcement of other acts like —

Mr Bud Wildman (Algoma): On a point of order, Speaker: Is the clock operating correctly?

The Acting Speaker (Mr Gilles E. Morin): Order. Would you please continue.

Mr Michael Brown: I think you were speaking to my speaking style, member for Algoma.

Mr Wildman: Not at all. I was going to help you.

Mr Michael Brown: I was speaking about the lack of crown employees who are now in the forests of Ontario. Those crown employees, while they were not charged particularly with the enforcement of the fish and wildlife act, the old Game and Fish Act, they obviously communicated with their counterparts who were. If they saw something out in the forests of Ontario that was not particularly good, they would report to their colleagues. They are not there any more. It doesn't happen. There are 2,000 people no longer in the forests of Ontario who were there to protect not only the fish and wildlife but also the uses of the land. That concerns me, because while we see an act that has much to commend it here, we also have to look at whether it will be enforced, whether the provisions of the sustainable forestry licences that foresters work under will be enforced.

I bet the members on the other side don't know that MNR does not even audit the forest companies to see that they did what they said they were going to do in terms of the forest. Who audits them? A third party that the company contracts with to provide us with the audit. But who audits the auditor? There is no one there who does that. When you consider that about 1% of the forests of Ontario are actually under any kind of extensive management at any given time, in other words, there might be some logging or whatever going on in that area, that means there are huge expanses where our fish and wildlife are unsupervised. Maybe that's the way it should be, but I think we have to come to grips with the fact that this government does not seem to give particular weight to the province protecting our future resources.

I have much more to say but the point I would like to make to you today —

Mrs Marion Boyd (London Centre): On a point of order, Mr Speaker: Before my colleague winds up, I think he should have a quorum and I don't believe one is present.

The Acting Speaker: Would you please check if we have a quorum.

Clerk Assistant (Ms Deborah Deller): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

1630

Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker: The member for Algoma-Manitoulin.

Mr Michael Brown: I enjoyed the minute or two I was sitting down because I realized I had neglected to speak, in terms of this bill, in terms of moose and deer tags, which are a continuing concern across Ontario. We've had review after review of this system and yet we have had no action. The former minister promised we would deal with the allocation of moose and deer tags in a more appropriate manner. I don't suppose there's a member of the Legislature who hasn't been stopped on the street and asked why he or she didn't get a moose tag. I'm sure, Mr Speaker, in your constituency, you've had people say, "Why didn't I get that deer tag?" or "Why didn't I get that moose tag?"

I can recall back in the 1990 election, and there are many things about the 1990 election I would sooner forget, being chased down the street in Elliot Lake about 9 o'clock at night. We were just finishing off our canvassing for the evening. A fellow actually came running — it was just getting dark — down the street, probably for two blocks, to tell me that he would never vote for me because I had not gotten him a moose tag. You've maybe had the same experience, Mr Speaker. Maybe not.

In northern Ontario, and also in eastern Ontario and in many parts of southwestern Ontario, people are very concerned about the fair and proper allocation of deer tags. They understand there's a need for quotas, that you can't just let everybody go out and shoot everything. As the minister once said, and I agree, game management is more the management of people than it is of game.

We certainly have to find a better way of allocating these tags because I don't enjoy getting those calls in my office. I had a fellow, actually, who wrote me. I think he was 79 years old and for the first time in his life he was not going to be able to go on the moose hunt. For the first time in probably 60 years of hunting, he wasn't going to be able to go on the moose hunt. He'd done what he was supposed to do. He'd formed the party, everything the regulations called for, but his group, for whatever reason, did not get a tag and he was unable to hunt, and he was extremely disappointed that he didn't have the opportunity and the comradeship of the hunting experience.

You've got to deal with that. Successive governments have made changes. I was talking to the former minister about this one day and he said: "Part of the problem is the hunters of Ontario don't understand it. There's a group that just doesn't know how the system works and therefore they don't get tags." I said to him, "That's probably true," but there are also a number of hunters in this province who understand it all too well. They've learned to make the system work for them and they've learned to make sure that those who know how to make the system work for them get tags.

I see the Minister of Health. She probably has people approach her in her constituency office about how difficult

it is to get a moose tag in certain areas. She's smiling but I know it's a concern even in Waterloo.

We have to learn to manage better. The act that's before us will not do that in and of itself. It will need thoughtful people and it will need input at committee from the various groups I've enumerated and others, so that legislators can make considered decisions on a bill that will have some controversial areas.

I'm asking the minister and suggesting to the minister that we will need to have hearings in committee so that we can resolve some of the contentious issues in the interests of all Ontarians. I'm suggesting to the minister that he now has an opportunity to rebuild the proud tradition of the people in the Ministry of Natural Resources.

There is much to be done. There are as many issues as ever in the crown lands of Ontario; there are as many issues as ever in southern Ontario. We have seen the decimation of conservation authority money. Their funding has all but evaporated. They are under extraordinary pressure as conservation authorities to make very difficult decisions. We're looking, I suspect, at probably more sales of conservation lands in southern Ontario to provide people at the authority with the money to continue operating. I for one find the sale of our legacy in order to operate in the present to be something that is offensive in the least.

I want to suggest to the minister that he has an opportunity, as he sets about his Lands for Life exercise, to slow it down, to make sure people understand what's going on. The minister wants to try to etch this in stone. My goodness, I think that is a very dangerous concept. While we certainly want to protect areas, we also have to understand that by making some decisions we can preclude future generations from many opportunities.

The mining companies in Canada and Ontario often find it difficult to operate in our jurisdiction. The forest companies find some problems in operating in our jurisdiction. Certainly the tourist operators have problems operating in certain parts of our jurisdiction. The people who want to camp and cottage have difficulty in many parts of this province meeting regulations on land use. But we have a responsibility as legislators to make sure we can pass our inheritance on to our children and that the natural resources that have built this province will continue to be the sound base upon which we based our growth over a couple of centuries.

1640

The government, in its disdain for supervision of public assets, in laying off a couple of thousand good people, in retiring early the institutional memory of the proud Ministry of Natural Resources, is coming to a crossroads. The new minister has the opportunity to set a new direction, a direction that means we can be prosperous but that knows we have to reinvest.

I suppose you don't know over there, but one of the great things that has been happening is that ever since Bill 171, the Crown Forest Sustainability Act, came in your revenues have gone way up. You're dragging millions upon millions, hundreds of millions of dollars actually, out

of the natural resources of this province that were never taken before. This is the first time. It's a good business for you guys, and you're not reinvesting any of that money back in either the ministry or northern Ontario, where it came from. You're not doing that.

My goodness, you're not even putting the money in the heritage fund these days. For goodness' sake, the heritage fund was set up, I believe, in 1988. It was supposed to be for 12 years. For 12 years governments were supposed to put \$30 million a year into a heritage fund. That money was coming from our resources. Those resources were in northern Ontario. Northern Ontario was paying that money. It was their money.

That \$30 million was contributed in 1988, in 1989, in 1990, in 1991, in 1992, in 1993, in 1994 and in 1995. Then the previous government took \$60 million out of it, and then you put \$60 million back, but there has never been a dime since. The way I count it, you're about \$90 million short.

That wouldn't be a big deal if you were actually using some of the money that was sitting there, the money that came from Ontario's natural resources for the benefit of those people who live in northern Ontario, out on the crown lands, among the crown lands, the people who look after the crown lands, and frankly have higher costs because the distances are greater and we don't have the critical mass. There are all kinds of reasons. But we never ask for anything special. We just ask that some of the revenue that's being produced from the resources we have — it was coming back to us. You, as the government, have decided you don't want to do that anymore.

At some point, and I suspect the heritage fund is going to start to spend money in about six months, you're going to change your criteria and all of a sudden the projects that were not viable before are going to become viable, because you've got the trust money that's been there, accumulated from northern resources. It's been accumulating up until 1995, but you haven't dispersed it. It's still there. So you've got this great wad of money to start buying votes with.

I look at the election calendar, I look at the time of government we're at and I can say, as a northern member, that it's about time you started to try to buy it. The money's there. It won't cost you anything. I have spoken to a member of the northern Ontario heritage fund and I've said to him: "Look, John, you good Conservative, you guys won't have any chance up here in northern Ontario. You'd better start spending that heritage fund money. You'd better get it out."

I suggested to him that about six months from now would be the time to do it. There are a lot of good projects. There are a lot of good business opportunities. There is a lot of infrastructure work. There is a tremendous number of places that will to invest the money that will bring the north jobs and a higher standard of living, but to this point you have been unwilling to spend somebody else's money.

If there weren't the opportunities, I'd say you're right. If there weren't places to spend it that made sense, were good investments for the people of Ontario, I'd say,

"Don't spend it." But I can't imagine there are no good places to spend it. There are very few projects that have any approval under the heritage fund.

The point of all this is that money is coming from the resources of Ontario and came from resources of Ontario from 1988 through to 1995. That's where the money came from. It didn't come from Bay Street. It didn't come down where I was born, from Sarnia. It came primarily from our forests. The mining revenues did not flow to that fund to the same extent. It was originally put there because of a forest surtax, as I recall.

If we are going to consider managing Ontario's wildlife, we have to think in a bigger and broader scope. We have to give it more consideration. We have to understand that some of this will cost some money. I know that's a frightening concept, but some things do cost some money and sometimes you have to use the money you have more carefully and more appropriately to make sure there actually are policemen in the forests of Ontario. The policemen in this sense are conservation officers to enforce this act. The stewardship of the land base and the stewardship of the water are important factors because without that kind of stewardship, all of this in this act doesn't mean very much.

That's why I am saying to you, listen to people like the World Wildlife Fund, like other groups that have suggested you get on with fulfilling the mandate of the parks in Ontario, get on with making sure we have protection for all the unique features, and at the same time make sure that the other groups, especially the first nations, the forest companies, the tourist operators, the cottagers, the hunters and anglers etc have an opportunity to optimize their use of the forests.

I think that's possible, but I don't think it's possible if we believe this can be done just by bringing in an act that reads a little better. While this act does many things, the most important is that most people can understand this act. It's not 25 years old, or 30 or whatever it is that the old act was. It's now been put all together in one act so that it's more easily understood by the people on the crown lands, and actually all through Ontario, that our fish and wildlife actually could be supported.

But basically this is just a compilation of a number of acts put into simpler English and French so that the ordinary person stands a better chance of understanding that. While this is important, incredibly important, it is not in itself any kind of panacea. It does nothing more than encapsulate what we already know.

We are supporting this act. We look forward to the minister in his wisdom coming forward before us and saying to us, "Yes, we want to have second reading in an expeditious time, and therefore we will continue to debate this bill for the next three or four weeks" — well, maybe not three or four weeks — "three or four days so that we can get a quick second reading on this." He will set everything else on the government agenda aside so we can deal with this particular bill. Having all that other not-so-good legislation set aside, we can take this down to committee, hear from the groups and individuals who have

particular concerns with particular sections of the bill. We can get it resolved. We can come back here, get third reading, the Lieutenant Governor can sign it and it can be proclaimed.

What happens to this act won't be the same as what happened to Mr Kerrio's version or Mrs McLeod's version or Mr Hampton's version or Mr Wildman's version or Mr Hodgson's version, and Mr Snobelen's version will finally make it through the Legislature and actually come to a decision. I think it's important that happens.

I have certainly given my commitment to the people of Ontario that the Liberal Party will do everything it can to make sure this moves through this place in an expeditious fashion.

1650

We in June indicated we would move in June on this act so we could get second reading, get it out to committee hearings, probably in the summer for a day or two — I don't think it probably would take more than that — and then we could have given it third reading in August when the Legislature came back. We've wasted some considerable time, some two and a half years of the government's mandate, so now that we are dealing with it, I want to indicate how quickly and expeditiously we want this through this House. But of course we need those couple of days, some time anyway, to hear from the groups around the province so we can make any amendments that will improve the bill and then we can come back here before Christmas, get third reading, and this act will not go the way of the dodo bird, as previous incarnations did.

Thank you, Mr Speaker, for permitting me a little bit of time to speak to this bill. I know it is complicated and is one that you are particularly interested in. With that, I will sit down so there's a little bit of opportunity for people to comment on this little intervention.

The Acting Speaker: Questions or comments?

Mr Len Wood: I want to congratulate the member for Algoma-Manitoulin on his comments on Bill 139. We know there are a lot of changes to the Game and Fish Act, including the title, where the title is changed to Fish and Wildlife Conservation Act.

We also have to understand that one of the first things this government did when they became government was to eliminate up to 900 jobs within MNR right across north-eastern and northwestern Ontario, all for the sake of being able to give a 30% tax break to the upper-income people, the 10% of the wealthiest people in this province. They laid off hundreds of people, and the number might even be up to 1,000. The last figure I heard was well over 900 that they had laid off.

We're very supportive of this bill as well, but there has to be some commitment on the part of the government that there will be public hearings held, because you're talking about a bill that takes in 60 pages when it's all condensed into one and it covers 126 sections, some of them, as far as section 15, talking about how hunters must wear the proper colour when they're out hunting, orange colour, and they can't hunt in unsafe areas with rifles or shotguns.

We don't have a problem with that because safety is very important.

Hunting and fishing is very important to the way of life of people in northern Ontario, northeastern Ontario and northwestern Ontario. I know for a fact that over the years large numbers of people have left northern Ontario and come down to southern Ontario and, as the member has pointed out, like to go hunting moose and hunting deer, and they're unable to get tags. So they should be doing something about that as well.

Mr Chudleigh: I was interested in the member for Algoma-Manitoulin's comments. I was disappointed, however, when he talked about the northern heritage fund. I know there are 10 or 12 volunteers who work for a dollar a year who sit on that board —

Mr Len Wood: They've done nothing.

Mr Chudleigh: — and for the member for Algoma-Manitoulin to impugn their motives, such as those members, it saddens and disappoints me that he would take that tack.

The public hearings that he refers to, this piece of legislation has been out and consulted with a large, broad group of people who are involved in the fish and game business: Animal Alliance of Canada, including the Canadian Association of Zoological Parks and Aquariums. We've consulted with Ducks Unlimited, the Federation of Ontario Naturalists, the Ontario Aquaculture Association, which the member made reference to in his talk, the Ontario Fish Producers' Association, the Ontario Fur Managers Federation, the Ontario Hawking Club — again, which you made reference to — the Professional Association of Wildlife Exclusion Specialists, and Zoo-check Coalition Canada. There are over 20 groups that we've consulted with in this, so it's been a broad group, along with consultations with other ministries, including the Ministry of Agriculture, Food and Rural Affairs, and the Ministry of the Attorney General.

To say those consultations haven't taken place is perhaps not being completely forthwith as to the consultation and how we've arrived at this place and time. As to further comments the member made about the Lands for Life being a hornet's nest — I think it was a reference that he used — I would agree that it's a massive undertaking, but that should not deter someone from going out and attempting to take that responsibility to task.

Mr Pat Hoy (Essex-Kent): I'd like to commend the member for Algoma-Manitoulin on his wisdom and input that he's put here today in regard to Bill 139, the Fish and Wildlife Conservation Act.

In the early part of his debate today, he spoke about the cuts within MNR. I know people have concerns about lack of staffing not only within the Ministry of Natural Resources, but other ministries as well. It's been a comment that has come to me from constituents that oftentimes they don't get to speak to a real person. They dial a 1-800 number that's provided by the government and they talk to what we are now becoming very familiar with, a term called voice mail, and they never really get to speak to someone. Their calls are slow in return coming

back from the government. I know the member for Grey-Owen Sound had a resolution before this House in regard to 1-800 numbers and I think, by extension, voice mail, and the fact that the people of Ontario think they get better service when they can actually talk to someone on the other end of the line when they're discussing issues of great importance.

The member talked about Lands for Life and the great land mass that we have in Ontario which in general would be described as northern Ontario. The people of southern Ontario have great pride in the north. Some have never travelled to the north, but in many cases are aware of it through books and television. I know that even though they may not have travelled to the north or spent very much time in the north, they want it protected, they want it preserved, they want the government to do everything it can to maintain what we know is our great northern heritage in Ontario.

Mr Wayne Lessard (Windsor-Riverside): I'm sure the persons who live in Windsor and who are members of the Beaver Lake Hunt Club will be interested in knowing of the member for Algoma-Manitoulin's support for Bill 139, because they provided me with a petition that I read yesterday in the Legislature with respect to black bear hunting and protection of their hunting heritage in Ontario and to ensure that the government of Ontario continues to support all forms of black bear hunting. So they'll be happy to hear there has been some progress made as a result of their petition being read here in the Legislature yesterday.

It's all well and good for the new minister, who we wish luck in his new role — hopefully he's more successful in getting this bill through than the last bill he had to deal with. The member for Algoma-Manitoulin talked about how important it is to protect fish and wildlife habitat in Ontario, and I think that's something we all agree with. But in order to do that, we need to have the resources available. We need the people, we need the money and we need the enforcement mechanisms in place in order to do that.

The Provincial Auditor in his report yesterday had some severe criticism with respect to this government's ability to enforce the laws, and even with the people they are able to convict of offences, they don't actually do anything to try and collect the fines. Those are the sorts of things that need to be done to make sure the fish and wildlife habitats in Ontario are protected. I think this is something of such significance that we really do need some public hearings with respect to this bill once the second reading debate is completed, and I hope the minister will commit to that today.

The Acting Speaker: The member for Algoma-Manitoulin, you have two minutes.

Mr Michael Brown: I appreciate the comments of the members for Cochrane North, Halton North, Windsor-Riverside, and my good friend the member for Essex-Kent.

1700

I was, however, a little bit disturbed by the comments from the member for Halton North. I was not attempting to impute the motives of the heritage board; all I was trying to do was to point out that the revenues that come from northern Ontario have turned into a huge cash cow for the province — hundreds of millions of dollars. I was just trying to point out that with the exception of paying back the \$60 million that have been taken out by the previous government —

Mr Alex Cullen (Ottawa West): Point of order, Mr Speaker: I fail to see a quorum.

The Acting Speaker (Mr Bert Johnson): Would you see if there's a quorum present.

Acting Clerk at the Table (Ms Tonia Grannum): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Acting Clerk at the Table: A quorum is now present, Speaker.

The Acting Speaker: The Chair recognizes the member for Algoma-Manitoulin. You have about 45 seconds left.

Mr Michael Brown: I was just saying that I was disappointed in the member for Halton North believing that I imputed the heritage board; I did not. What I said was they have not contributed one dime to the heritage front, although the revenues from forestry and other related activities in northern Ontario are absolutely huge. They're increasing, they're now in the order of hundreds of millions of dollars a year, and there is not any money.

I am suggesting to him in a very friendly fashion that the heritage board decide to disburse some of the dollars that have been accumulated by previous governments in the heritage fund in a way that's of benefit to the people of northern Ontario; there's a good political opportunity for them.

The Acting Speaker: Comments and questions? The Chair recognizes the member for Sudbury East.

Ms Martel: Mr Speaker, I'm next in the rotation. Comments and questions were finished.

The Acting Speaker: I'm sorry. Further debate?

Ms Martel: Thank you, Mr Speaker. I'm pleased to participate in the debate on Bill 139 today, which is the Fish and Wildlife Conservation Act, but I have to tell you that I am a little curious about the timing of this bill this afternoon. As opposition critics for the Ministry of Natural Resources indicated to the former minister some long time ago, in fact in the session that ended before June, we were prepared to deal with this particular piece of legislation. We recognize there has been a great deal of public input with respect to this bill and a great number of stakeholders who would like to see this bill go forward.

Then again, in the session from mid-August until mid-October we were asked by the former Minister of Natural Resources if, as opposition critics, we would be prepared to move forward on this bill, and again my colleague from Algoma-Manitoulin and I indicated to the former minister that we were very much prepared to do so. He, however, wanted us to guarantee that the debate would be

completed in a single afternoon. We would not commit to that, because we believe that while this an important bill and there is support for it in the province and in this House, there are a number of members from each side of the Legislature who would want to speak not only with respect to the actual provisions of the bill, but also have some time to talk about what we fear will be the inability of this ministry to enforce this bill because of the huge, significant, deep cuts to the Ministry of Natural Resources, particularly to those staff who deal with protection of fish, wildlife, aggregate resources and forestry resources in this province.

We would not give an undertaking to the former minister to complete the debate on second reading in a single day. Again we saw that the bill did not come forward — obviously, it was not a priority at that time — and we could not continue with it even though we had given that kind of undertaking.

This afternoon I note, in terms of the agenda the government had proposed to all of us, that we were to debate Bill 149, the son of Bill 106 — I believe that is the correct bill — which is the first and second part of MVA. I believe the reason we are now not debating that bill this afternoon but the government has had to very rapidly bring forward Bill 139 is because our House leader raised a point of order with respect to the appropriateness of the government proceeding with the bill and whether it could, given the time allocation that was already in place. About seven minutes before question period ended, Bill 149, which was supposed to be debated this afternoon, was yanked and we were asked if we would now proceed with Bill 139.

I am pleased to do so, but I am very curious about the government agenda to date with respect to this matter and what kind of priority they have placed on this bill; why it is that it was so quickly yanked from the agenda this afternoon and why Bill 139 was put in to replace it. I won't comment on the ability of the government to deal with its legislative business, only to say that I think we are correct in terms of our point of order which was raised this afternoon and the government has now had to cope with that.

So here we are. We have a bill that has a long history in terms of consultation with many stakeholders across this province under now three different governments. In the last 10 years or so, there have been quite significant, quite broad consultations with respect to how to amend the Game and Fish Act, in some ways to bring it into line with other provincial jurisdictions in terms of what they do, and in other respects to enhance enforcement so that Ontarians can be very clear and feel very confident that their fish and wildlife resources are being protected in the province and that those who would not have respect for fish and wildlife resources would suffer significant penalties and be liable for their action. There were a number of parties involved. There were three different political parties also involved, and various ministers.

Having said there has been debate, I want to make it clear to you that the same groups that the member for

Halton North talked about as having participated in the consultations are also the same sorts of groups which have asked the ministry, the minister and the opposition parties for some public consultation on this bill, for some public hearings. Three of those groups you mentioned — specifically, the Animal Alliance of Canada, the Ontario Hawking Club, and the Ontario Aquaculture Association — have indicated concerns with the bill to the opposition members and to the minister, both the former and current minister, and all have asked that members in this assembly support public hearings on this bill, even if they are limited, so they can express their concern.

1710

I was a little concerned when I heard the two-minute response of the member for Halton North to the member for Algoma-Manitoulin. I was a little bit concerned to hear him say that the member for Algoma-Manitoulin might have misrepresented some of his facts and some of his concerns with respect to this bill, that people were generally satisfied with it. They are, but it is also truthful to say that those three groups in particular have also asked for some public hearings.

I didn't hear the Minister of Natural Resources commit to public hearings on this bill today. I would like to hear him commit to the same, because I think the bill represents an opportunity to significantly improve fish and wildlife protection legislation in the province, fish and wildlife management legislation in the province. It would be a shame if the government was to lose the opportunity of responding to some of those very legitimate concerns of some of these well-respected groups who were also part and parcel of the consultations that led to this new bill.

In the time I have, I want to focus on a couple of things. I want to go through some of the concerns of the Animal Alliance of Canada, of the Ontario Hawking Club and of the Ontario Aquaculture Association. I want to talk a little about the contradiction I see between this government's bill to protect fish and wildlife, fish in particular, and then what this very same government has done with respect to the federal Fisheries Act and Ontario's role in enforcing section 35, because there is a huge contradiction for a government that claims to want to protect Ontario fish and wildlife.

Finally, I want to talk a little about the ability of the Ministry of Natural Resources to actually enforce this new legislation. The minister made a number of comments about how there will be dramatic new enforcement measures under the bill, and in print it is true that those enforcement measures do appear. I question the ability of this ministry to actually enforce the legislation, given the very deep cuts to the staff undertaken by the former Minister of Natural Resources.

Let me begin by talking a little about Animal Alliance, because they have written to a number of members, certainly to the opposition MNR critic, with respect to this bill. They did that as long ago as August 18. In a letter from Liz White, the director, she says the following:

"We are pleased with many aspects of this long overdue legislation, including (1) the ban on possession of

bear gall; (2) the prohibition on interfering with black bears in their dens or intentionally destroying or damaging their dens; (3) the recognition of wildlife rehabilitation as a legal activity; (4) the ban on the possession of wildlife if the wildlife was taken in contravention of the laws of another province or jurisdiction; and (5) improved wildlife law enforcement provisions."

Then she goes to say: "However, certain aspects of the bill require an opportunity for broader public debate. Please help us ensure that this debate occurs by contacting the House leader and requesting that Bill 139 receive second reading during this session," which has already passed, "and that the bill goes to committee for public input this fall."

I would not normally presume to speak on behalf of the Animal Alliance, but I do believe that some of their concerns with respect to bear hunting which require some broader public debate would include the following, and this has directly to do with the research capability of the Ministry of Natural Resources with respect to Ontario's bear population:

Frankly, there are many in this organization and many individuals across the province who do not think that the Ministry of Natural Resources has an adequate or fair understanding of the population dynamics of bears.

Second, many people believe that the MNR has a very poor understanding of the effects of management practices on bear populations.

Third, this organization and many others continue to be concerned that the Ministry of Natural Resources has a poor understanding of the habitat loss on bear populations; and

Finally, that the ministry, because of inadequate research and now because of inadequate numbers of staff to undertake that research, also has a poor understanding of the effects of increased trapping and, in cases, poaching on fur and bear parts.

I believe that those concerns are legitimate because I am not convinced that the Ministry of Natural Resources has the research background or now the staff capability to do the research necessary to deal with what has been a controversial issue in this province, which is bear hunting, particularly a spring bear hunt.

While the organization Animal Alliance of Canada sees that the ministry has moved forward, and I agree that the ministry has with respect to protection of the bear population in a number of significant areas, that overall concern about our understanding as a province of the bear resource in this province leads them to ask for public hearings, for a broader public debate, on those issues.

That is one of the reasons I think we should have public hearings, because there have been any number of members in this House who have read petitions, on both sides of the issue: (a) to support the spring bear hunt; (b) to get rid of the spring bear hunt. It is an issue that the committee should have some broader public hearings on so that all committee members, indeed all members in this House, can understand what the capabilities the MNR has and whether we feel comfortable that the MNR has a real grip

on and a grasp of and understanding of this population, this significant resource and how we can manage it for use by future generations.

The second group that has a number of concerns — and these have been relayed to the minister, and I gather that members of the association were also to meet with ministry staff some time in September — comes from the Ontario Hawking Club.

A little bit of background about the association, if I might: I had the opportunity to meet with three representatives of this particular association on October 2, specifically for the purpose of going through their concerns with respect to this bill and why it was they wanted some public hearings on the issue before this bill was passed. It is quite a small organization in the province. There is a membership of about 50, which fluctuates, because it is an expensive proposition and an expensive — I don't want to use the word "sport" but maybe that is the best word — sport to become involved in. They are affiliated with a number of groups both in Canada and in the United States.

It was interesting that everywhere else falconry is practised, falconry is also regulated. In 47 out of the 50 states in the US where the practice is carried out, it is regulated by state legislatures, enshrined in law what the rules and regulations will be. In other jurisdictions in Canada, namely Manitoba, British Columbia, Nova Scotia and Alberta, the provincial legislatures in those cases also regulate falconry under provincial law. When falconry is regulated, a number of things kick into place.

First, there are qualifications that are listed very clearly outlining who can participate in this sport, this venture, and how they have to participate.

Second, in each of the jurisdictions a permit is required from that provincial government and from the ministry that regulates natural resources to own and to have and to keep a bird used for falconry purposes.

Third, in each jurisdiction it is clearly outlined what the rules and regulations are, in legislation, to be sure that people who participate also have secure facilities for their birds.

In Ontario, even though falconry is practised, it is not regulated and never has been, even though there have been decades and decades and decades of a history of it being practised here. In the province of Ontario, for example, you only need a hunting licence to participate as a falconer. You are subject to all the rules pertaining to hunting in Ontario — seasons etc — but that is the beginning and the end of the rules. Nothing is said about qualifications, no need to have a particular permit for a particular bird, no need to prove to the ministry what the secure facilities are, indeed no rules and regulations to outline what those should be.

1720

It's true that the ministry has been talking about regulating this practice since the early 1960s. The group that came to see me, which has participated in the consultations over a number of years, wants to see this practice regulated. They view Bill 139 as an opportunity

to regulate falconry in Ontario; they view it as a golden opportunity for the government to follow the example of the 47 jurisdictions in the US and those in Canada that do. They are quite concerned that in a number of areas in Bill 139, the government has fallen far, far short of establishing the same kinds of codes of practice or rules and regulations that would be in place for the practice of falconry in other jurisdictions. They wonder why that is and why the ministry would not be interested in ensuring that it would do so when it has this particular opportunity.

Let me outline to members, if I might, some of the concerns that were raised by the group with me. I know these concerns have been raised with the MNR in a meeting that took place, although I do not know what the outcome was and if the ministry will heed some of the concerns and make some of the changes in law.

First, their concerns with respect to the regulations: They have clearly been advised that the Ministry of Natural Resources intends to severely restrict the species of captive-bred, native raptors that falconers can hunt with. The ministry proposes to list these in regulation. The ministry proposes to have four species that can be used for these purposes, to keep, to train and to breed in terms of the birds that can be in that position.

Second, in the regulations the MNR intends to restrict the use of non-native raptor species. That, the group tells me, represents a very significant shift from what the past practice has been for a number of years at the MNR.

The problems that flow from those two very significant changes to past practice are the following: Many of the 50 or so falconers who participate in falconry in Ontario have, over a number of years, imported birds from other jurisdictions. Many of them have had those species of birds for some time now. It is not uncommon for falconers to have the same birds to use in falconry for up to 10 years or more. What are they supposed to do with those species that they have imported which are now not listed as species the ministry will recognize for the purpose of falconry in the province? Their question to the MNR was: "Do we destroy these birds? Do we destroy the investment we have made in terms of training, breeding and using them to participate in falconry?" The ministry has no answer to that important question.

The ministry also has no answer about why it is they want to limit the number of species that can be used in this practice. As members of the group told me, there are only seven or eight species of birds that can actually be used in falconry anyway by anyone who is interested in participating. The ministry proposes to limit that to half, to only four, but the ministry has refused to give any explanation for these two restrictions to the group, and again they have yet to know what they are supposed to do with birds they already have, in some cases have had for 10 years now, when the regulations come into effect.

The club members very legitimately ask: "Why are the restrictions in place in the regulations? Why can the Ministry of Natural Resources not provide any rationale for the changes from the current practice? What do falconers do now in Ontario with those birds which they

have had for some time which are not listed in the regulations?" Those questions have not been answered by the Ministry of Natural Resources.

The second problem in the regulations has to do with any number of rules the ministry wishes to set out for people who want to practise falconry, specifically rules on propagation of the species, on buying of raptors, on the selling of raptors, on the licensing conditions for the birds. There are a number of problems in the regulations around all those issues which again need some clarification and which again the ministry has not clarified. The group is quite concerned about those issues in the regulations, and the group does not want to see the bill passed before those issues can be clarified, because they're not convinced that once the bill is passed there will be any significant, important changes in the regulations. Certainly the regulations won't be out here for public scrutiny. That will all be done behind closed doors.

Their second concern has to do with the clause in the bill that they have defined as the "similar species clause." That appears under section 6.9 under part I, which is entitled the application and the interpretation. It reads as follows, if I might: "An animal or invertebrate that is not easily distinguishable from any animal or invertebrate to which this act applies shall be deemed, in the absence of evidence to the contrary, to belong to the same species to which this act applies."

Falconers know that "animal" in this case also refers to raptors, but what they are concerned about is that MNR staff do not have the expertise, do not have the experience, in dealing with identification of these birds and that what this will lead to will certainly be an inappropriate seizure of birds under section 92 by people who have no experience in how to deal with them. What that also will do is put at risk what is private property of falconers now and may well lead to either the wounding of the same birds or actually death of the same. They are quite concerned that MNR will not have the experience to identify those birds of prey and that there should be a different and separate section dealing with their birds of prey particularly.

Thirdly, the section with respect to inspection and seizure of fish and wildlife by MNR staff: Under section 90 of the bill, a conservation officer can inspect any building or any other place that may contain raptors. The concern of members of the falconry association is that the inspection itself may interfere with their raptors that are breeding at a critical stage in that cycle. They are very worried that because of MNR inexperience in dealing with these birds, they will not be sensitive to either their characteristics, their nature or their breeding patterns and that breeders will make a significant investment in birds of prey and will watch that investment go down the tubes because of inappropriate timing of seizure by MNR if MNR has concerns about either security or other matters with respect to the birds. That has not been addressed by the Ministry of Natural Resources.

Under the section "Proof of hunting," which is section 107, another concern is that a falconer will not be able to

train or exercise their birds without being open to prosecution under the legislation. They do not believe that is in the best interests of either themselves or their birds and that there should be an exemption of raptors with respect to this section.

They have a concern with respect to the prohibition on the limited use of immature wild native raptors and nuisance raptors in sport falconry. Under this section, those involved in falconry cannot, for example, take birds that are under a specific year. They are saying that anyone who is involved in this practice of course is not interested in taking immature species to either train or breed. It is the adult species that they are interested in being able to acquire, so they are very concerned about why this even appears in the legislation.

Finally, through the legislation, a landowner has the ability to capture or kill a nuisance bird of prey. The argument of this association is that they have people who are experienced in dealing with birds of prey, should be allowed to capture these nuisance animals and keep them so that they will not be destroyed. They don't see a reason why the MNR would not allow that to happen.

Here is a group that has participated in the consultations, but comes away from the consultations with some very serious concerns about the legislation as it's currently written and why the MNR has not put into place any number of rules and regulations that currently apply to the sport of falconry in other jurisdictions.

I would say to the parliamentary assistant and the minister, it is incumbent upon you to have some public hearings so that some of these can be resolved. It's an opportunity to regulate the sport for the first time in the history of the province. It is an opportunity that should be carried out properly.

Third, all of us I believe have received correspondence from the Ontario Aquaculture Association with respect to its concerns regarding the Fish and Wildlife Conservation Act. Again I had an opportunity to speak to and then meet with different representatives of this particular association with respect to their concerns. Their concerns are similar to the previous group in the sense that we have an opportunity to improve a piece of legislation which is an important one, and we should ensure that the Ministry of Natural Resources takes the time to do that properly.

1730

Again in this case, this particular group was part of the consultations that led to Bill 139 but came away from that process concerned that the ministry has actually backtracked on a number of protections that they already had in place through MNR policy. Not only are these protections not enshrined in the bill, but there is actually a reduction or a moving back from some of the policy protections they have had in place over the last two or three years.

If you look at the significance of this industry, it is important for the MNR to recognize these concerns, because fish farming in the province had a value in 1995 of some \$14 million, and the potential to use this industry, particularly in rural Ontario, to increase the number of

jobs and economic benefits in those communities is quite enormous. There are a large number of communities, a large number of areas in this province where fish farming is quite practical, environmentally sound and would enormously benefit any number of our rural communities. In order to ensure that people want to make that kind of investment, there needs to be some protection for this industry in this legislation, and it doesn't appear.

In fact, some of the concerns that have been outlined to us are as follows:

Specifically, the guidelines that fish farmers currently operate under, which were set in place in 1995 by the Ontario Ministry of Natural Resources, the aquaculture interim policy directives, are completely ignored in this bill. For example, under the policy guidelines it clearly states that property rights of fish farmers need to be recognized and need to be respected. In fact, if I might, it says very clearly in the interim policy guidelines under "Possession": "The fish in an aquaculture facility are not common property but the qualified property of the individual who is licensed to culture the fish. Fish farmers have qualified property rights for fish confined in the licensed facility." That does not appear in the bill. There is no recognition of property rights of owners of farmed fish, even though it appears in the interim guidelines under MNR right now.

Second, under the interim guidelines there are qualifications around search and seizure, the destruction of farm fish, labelling, spoilage etc. Very specifically, the policy, section 4, says, "Section 32 of the Fisheries Act regarding the offence of destruction of fish does not apply to fish raised on a fish farm." Again, "Section 31 of the Game and Fish Act regarding the offence of allowing flesh to spoil does not apply to fish raised on a fish farm." Finally, "Fish farms are exempted from the Game and Fish Act section 84 requiring all receptacles containing fish to be marked when destined for export."

Under Bill 139 the exemptions that we see in the interim policy guidelines do not apply. The ministry has not applied its own policy guidelines to the new legislation. In fact, there is no exemption of farm fish from the sections of the act that concern labelling, spoilage and destruction of fish.

Third, with respect to the contradiction between the policy guidelines in place at MNR now and the actual text of the bill, there is no recognition that waters in fish farms and constructed ponds on private property that have physical barriers to prevent the escape of fish are not Ontario waters. The policy guidelines under the section marked "Escapement" say the following: "Fish farmers and owners of farm-raised fish shall report escapes and/or an accidental release of fish raised on a farm.... OMNR will consider proposals for retrieval of farmed fish on a case-by-case basis and may permit recapture where practical, or require their destruction where they pose a risk to existing fish populations in receiving waters."

On fish farms in a constructed pond there is a separation between the water that the fish are raised in, are farmed in, and other natural Ontario waterways. There

has clearly been that recognition in the interim guidelines in place since 1995, but in the bill there is no recognition of that. There is no exemption.

People who are involved in the industry, a \$14-million industry in the province, are very concerned that the MNR will come on to their private property and confiscate fish in the name of conservation when under the current guidelines, which everyone operates under now, they cannot do that. That is a significant issue for all these people, because the investment they make in this particular industry on their private property is quite significant. They are concerned that it must be protected, and that there cannot be search and seizure and inspection just on a whim, on their private property, by MNR officials.

Secondly, the association makes it very clear that the treatment of fish farming in this bill is not consistent as it pertains to other ministries in the Ontario government or as it applies to the Ontario Ministry of Natural Resources itself. Very specifically, under OMAFRA, the Ontario Ministry of Agriculture, Food and Rural Affairs, fish farming is defined as an agricultural activity. It's defined in the bill that is before us with respect to the Farm Practices Protection Act. Very clearly that bill recognizes that fish farming is an industry. OMAFRA itself, as I understand, actually contributes about \$1 million every year to that industry.

The Ministry of Municipal Affairs and Housing in its statement under the Planning Act also recognizes fish farming as an agricultural activity, yet the Ministry of Natural Resources, another ministry of this same government, refuses in this legislation to recognize fish farming as an agricultural activity. So neither the association nor I can understand that kind of contradiction or discrepancy between what two other ministries of this government now have in place as a practice, that appears in policy statements or legislation, and this Ministry of Natural Resources which refuses to put that definition into Bill 139.

The second discrepancy: The bill recognizes that the MNR has no jurisdiction over farm animals held in captivity, but it does not extend this to farmed fish.

The third discrepancy comes with respect to how the Ontario Ministry of Natural Resources deals with other fish-related matters in the province. Bill 139 requires licensing of fish farms, but it does not require any kind of licence for the importation of fish into the province, no licence with respect to the ministry's own fish culture stations, no licence for the aquarium trade and no licence for bait fish.

We clearly have within the same ministry a contradiction between how ministry staff would deal with farmed fish and ensuring they have a licence, but would not require a licence for any operator involved in any of those other activities: importation, the ministry's own fish culture stations, bait fish and the aquarium trade. One has to ask why that discrepancy exists and why the ministry would allow that discrepancy to continue to exist in this legislation.

The third set of concerns is the bill itself actually increases the control and regulation of fish farms to new levels which are not attached to other farmed animals which are defined and appear in the bill.

The example the association raises here is that other farmed animals that appear in the bill are clearly exempted from the provisions which involve destruction, spoilage or labelling of containers. Other farmed animals that are defined and appear in the bill are all defined in a schedule, but farmed fish do not appear at all. Thirdly, there are significant increases in some of the licensing conditions for farmed fish which now do not appear under the current Game and Fish Act, nor do they appear under the interim policies under which this industry operates.

There are a number of concerns the association has that instead of making it easier for people to become involved in this important industry, what the ministry is doing through this bill is making it much more difficult for people to make a decision to make an investment, especially in rural communities.

1740

The members of the association had a chance to meet with MNR staff and express these concerns, and they were extremely disappointed that the ministry response was very negative. In fact, in a letter back from the minister, dated September 9, he said clearly to them, "You will be advised that we cannot accommodate proposed changes to the bill, including removing the requirement for licensing."

Second: "My staff have been instructed to ensure that implementation of the new act through regulations and policies is consistent with the interim aquaculture policy." I made it clear earlier that in fact it is not. In a number of areas there are glaring omissions or glaring differences between the rules and regulations people have operated under since 1995 and what the government proposes to do in this bill.

The association had a chance to meet with MNR staff, worked through their concerns, and the former minister refused to do anything about those concerns.

The association has taken the time to go through a number of potential amendments to the bill which would rectify the situation, which would provide the balance between the interim policies and the new legislation and ensure that people want to get into this industry. It's my hope that the new minister will not just dismiss their concerns out of hand, as the previous minister obviously did, but will take seriously their recommendations for change.

This is an important industry in the province. It is an industry which another ministry of this government supports financially on an annual basis, and it is an industry that could have very important job implications and economic benefit implications in a number of rural communities if they could but have enshrined in law some of the protections which would allow them to make the kind of investment that needs to be made.

I encourage the minister again to have some public consultation on this in public hearings, because these are

important considerations and the ministry should work with this association rather than telling them no with respect to their amendments, to be sure that the concerns can be dealt with and can be resolved.

Those are at least three of the groups who were involved in the development of this particular bill who have subsequently, after the release of Bill 139, come forward to say that not all their concerns with the bill were met. It's incumbent upon the government, after the passage of second reading, to have some kind of hearing process, even if it is limited, to be sure they can raise their concerns before a legislative committee, and I would encourage the government to do that.

I said earlier that I wanted to talk not only about the concerns of some of the groups with the bill as it appears, or with respect to their concerns about omissions in the bill as it is written, but I also want to make it very clear that I find it passing strange that there is such a huge contradiction in this bill between what the minister hopes the bill will do and what this particular ministry has done in another area of fish management in the province, namely, what the government has done with respect to its decision not to enforce particular sections of the federal Fisheries Act, particularly section 35(2).

If I might go back to the press release on June 9, where Minister Hodgson announced this bill in the Legislature, it said very specifically, "Natural Resources Minister Chris Hodgson today announced measures to toughen fish and wildlife enforcement provisions and increase protection of a wider range of species." I quote: "'The new act fulfils our promise to better manage fish and wildlife resources,' said Mr Hodgson. 'The act demonstrates Ontario's commitment to conservation efforts both here in Ontario and internationally. Effective management of fish and wildlife is vital to the environmental, social and economic wellbeing of the province.'"

Finally, and I quote again: "'Both the ministry and the public have recognized for some time that significant changes were required to the Game and Fish Act to manage and sustain fish and wildlife populations,' said Mr Hodgson."

I couldn't agree more. I think most members of the public do want to feel confident that our fish and wildlife resources in the province are being both managed and protected.

That is why I was clearly amazed at the decision of this government on August 14, of the decision of the former Minister of Natural Resources, to cease to enforce subsection 35(2) of the federal Fisheries Act, which allowed MNR conservation officers to enforce federal law with respect to fish management and fish protection.

I don't understand how the government of Ontario, and particularly the former minister, can distinguish between its responsibility at a provincial level and responsibility at a federal level. This is not a constitutional issue. It's an issue about ensuring that the fish population in this province is protected and effectively managed.

MNR has had the opportunity and has had the responsibility to do that in the province of Ontario for

some eight to 10 years now on behalf of the federal government. I could not believe that on the one hand the minister could introduce new legislation which he says will better protect Ontario's resources and then two months later pull the rug out from under anyone who cares about this issue by saying that the government would no longer enforce the provisions under federal law to protect the same fish species in Ontario lakes and waters.

Specifically, on August 14 all ministry staff were told by the deputy, under direction from former Minister Chris Hodgson, that they would no longer be dealing with sub 35(2), that they would no longer be enforcing that particular section. He said very specifically:

"MNR will no longer provide fish habitat mitigation advice on behalf of DFO. MNR will continue to issue work permits under provincial legislation. However, the MNR will not review or provide site-specific advice on the fish habitat impacts of projects involving work in or around the water beyond the requirements of applicable provincial legislation. MNR will also withdraw enforcement support for the fish habitat section of the federal Fisheries Act."

How can it be that the MNR will only deal with protection under provincial legislation and will not continue to uphold some responsibility under federal legislation when we're talking about the same type of destruction of fish habitat in Ontario waters? You can't have it both ways. Either you're interested in protecting and preserving and managing the resource or you're not. For the life of me, I can't understand the government's contradiction in this regard. It either has to do with their inability, because they've laid off so many staff, to actually protect the resource or there was some other issue around charges that were laid that the government is also trying to deal with. I'm not sure which it is, but I disagree fundamentally with the direction the government has taken.

We know that after this particular memorandum went out to MNR staff, the ministry also then released, particularly to the estimates committee, where I sat as critic, a listing of all the things the MNR would no longer undertake on behalf of the federal government. They were very significant in terms of responsibilities and in terms of protection of the species.

In a number of areas, the MNR will no longer review plans, permits, proposals to determine if proposed works are likely to harm, alter or destroy fish habitat. The MNR will no longer work with proponents and consultants to design fish habitat impact mitigation techniques, will no longer provide site-specific advice. The MNR will no longer conduct site inspections solely to determine the impact of work on fish habitat. In addition, MNR will no longer enforce section 35 of the Fisheries Act.

The only thing that the MNR is prepared to do, and I suspect is doing at present, is that if an Ontario conservation officer sees an infraction, he will take the following course of action: They will talk to their federal counterpart about the specific problem, warn of the

potential violation and hope that the federal government does something about it.

The fact of the matter is that in the province of Ontario right now the federal government does not have any staff to deal with protection of fish resources in the province. We know that the federal government has seven biologists who work in Burlington. They deal with research with respect to fish habitat. They have absolutely no power to lay any kind of charges if charges are needed under the act in order to stop those who are destroying the resource.

1750

We have a minister in this province who on the one hand introduces legislation and tries to convince the public that he's concerned about the protection of Ontario fisheries, and on the other hand we have a government, the same government, that then totally curtails any of their responsibility, any of their work with respect to protection of fish under the federal act, knowing full well that the federal government does not have a single person in Ontario right now who can either enforce the act or even lay charges if a violation does occur.

I asked the minister in estimates why it was that the minister would make such a move, why it was that he thought it was appropriate to tell his staff to no longer deal with enforcement of section 35(2) of the federal Fisheries Act. He tried to argue in committee that this was a constitutional issue, that the federal government somehow wanted to assume or take back responsibility for some of this protection and Ontario viewed it as a constitutional issue and Ontario had indicated its desire to get out of this process because the federal government had refused to sit down and negotiate a funding schedule to pay Ontario for the work it was doing.

This is not a constitutional issue, however the former minister might like to describe it. It is an issue of managing the resources on behalf of Ontarians. Ontario staff were doing that under a former Liberal government and under a former NDP government. It was only under this Conservative government that this minister decided that was no longer appropriate to do. I think he has made a very serious mistake with respect to this issue, because clearly we know there are no federal staff who are in a position to enforce this legislation. We know now that if infractions are occurring, there is no one on the ground at the federal level who can enforce or lay charges.

There is no doubt in my mind that for some unscrupulous individuals, who would at every opportunity try to break the law, that has meant free rein for any number of people and that there has been destruction of fish habitat occurring as a consequence of this decision.

I also asked the minister during estimates what Ontario was expecting with respect to what kind of agreement they wanted to arrive at and what kind of compensation they were looking for with respect to actually carrying out the work on behalf of the federal government. The Ontario government's position in the negotiations is the following:

that Canada and Ontario would agree to develop a revised Canada-Ontario fisheries agreement, to be finalized and executed by September 30; and that Canada and Ontario agree also to develop a subsidiary fish habitat management agreement which shall be finalized and executed by October 31.

In the negotiations that were set out, it is clear what the financial obligations of Canada are and what the financial obligations of Ontario are. With respect to Canada: to provide to Ontario \$40 million over three years to go towards fish management habitat activities; to provide an additional \$5.1 million in support of the Great Lakes Fishery Commission; and to provide \$35 million over five years to support commercial fish quota acquisition. Ontario, for its part, would agree: to put in \$10 million annually for fish habitat management activities; to provide staff resources in support towards Great Lakes activities; to work with the Great Lakes stakeholders in developing partnerships to augment the sea lamprey control program funding and level; and finally, to negotiate purchase of fish quota as well.

Unfortunately as of November 18 we are in a position in Ontario where the draft document, the interim agreement, has not been formalized. The new minister has indicated to me that discussions are continuing and that if an agreement is reached, we'll all be advised accordingly. But in the interim, when there is no one on the ground on the federal side enforcing federal law, Ontario and this government put fish resources at risk. That's what they do, and they do that despite a backdrop of having a bill that we are debating today that talks about protecting those same resources.

The contradiction is very clear, it's very apparent, it's very blatant, and yet the former minister say nothing wrong in the action he took. It leads to the question of just why that minister took the action he did, because this has nothing to do with the Constitution or a constitutional amendment or constitutional rights. I believe it has everything to do with the ability, or better stated the inability of this particular ministry to enforce its own law. I don't believe that this ministry has the staff on the ground in Ontario any more to either enforce the federal Fisheries Act or, frankly, to effectively monitor any other provincial legislation that appears under this ministry's purview.

That leads to the final concern I wanted to raise with respect to this bill. It has everything to do with the ability of this particular minister and this ministry to actually sustain the bill, to actually be able to deal with the enforcement mechanisms in the bill.

I listened to the minister's opening comments on second reading.

The Acting Speaker: There will have to be a break. I was wondering if this would be a good time to do it.

The House adjourned at 1757.

Evening sitting reported in volume B.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Speaker / Président: Hon / L'hon Chris Stockwell

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Clerk Assistant / Greffière adjointe: Deborah Deller

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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of Ontario**

First Session, 36th Parliament

**Assemblée législative
de l'Ontario**

Première session, 36^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Wednesday 26 November 1997

Mercredi 26 novembre 1997

Speaker
Honourable Chris Stockwell

Président
L'honorable Chris Stockwell

Clerk
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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 26 November 1997

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 26 novembre 1997

The House met at 1330.

ORDERS OF THE DAY

GOVERNMENT PROCESS SIMPLIFICATION ACT

(MINISTRY OF THE
ATTORNEY GENERAL), 1996

LOI DE 1996 VISANT À SIMPLIFIER LES PROCESSUS GOUVERNEMENTAUX AU MINISTÈRE DU PROCUREUR GÉNÉRAL

Resuming the adjourned debate on the motion for third reading of Bill 61, An Act to simplify government processes and to improve efficiency in the Ministry of the Attorney General / *Projet de loi 61, Loi visant à simplifier les processus gouvernementaux et à améliorer l'efficacité au ministère du Procureur général.*

The Deputy Speaker (Ms Marilyn Churley): The member for Welland-Thorold, I believe you had the floor.

Mr Peter Kormos (Welland-Thorold): Yes, Speaker, I did. I'm pleased but also somewhat compelled to speak to Bill 61.

Here we are on Wednesday evening, 6:30 pm, sitting into the evening. This was going to be the week of the trilogy. Bill 142 was passed yesterday as a result of time allocation: a scant 45 minutes per caucus to debate a piece of legislation that has constituted an attack on the poorest in our society. Quite frankly, there were a whole lot of people who expected Bill 152 to be debated either this afternoon or this evening, or — dare I say it? — Bill 160. And here we are debating Bill 61.

As I say, knowing full well that the rules compel me to speak to Bill 61, I'm frustrated, I tell you, by the obligation that I have to stay on point. I find it very frustrating. I find it very restrictive. I'm going to rise to the challenge. I am going to isolate my comments to Bill 61.

Having said that, it's important that no single bill, be it 61 or 142, as was passed yesterday by the government notwithstanding the best efforts of the opposition, and notwithstanding Bill 152, the downloading that's going to raise property taxes for homeowners across this province, every single community in this province, Welland-Thorold, every community across Niagara, in the east, the west, the north and the south of this province, notwith-

standing 160 that's going to gut publicly funded education — notwithstanding all those things, here we are. That was to have been the trilogy.

Perhaps a successor to Ibbitson, perhaps an insider from the Tory caucus, if there are any real insiders in the Tory caucus, in his or her memoirs will tell us what happened, what hurdle was placed in the way that caused this government to stumble and — dare I say it? — falter for the briefest of moments. I'm convinced they've got an agenda. So here we are talking about Bill 61, an innocuous bill, as I said the last time I had a chance to speak to it, one which might for many be overridden by the phenomenon that happened down in Welland yesterday when over 500 high school students gathered at Merritt Park across the road from my constituency office to protest Bill 160. With the leadership of Chris Moscato, Angela Young and Bohdanna Diduch, they presented a united and articulate expression of protest and condemnation, high school students from across Welland, a disciplined and articulate condemnation of this government's gutting of Bill 160.

I'm referring to the Tribune report. Unfortunately, I couldn't be there; I was here at Queen's Park. But at the end of the rally, Chris Moscato — and this illustrates the seriousness with which these students took this endeavour — reminded everyone to head back to class. He's reported as having said, "We're doing this for education, not for the day off."

I want to commend those student leaders — Chris Moscato, Angela Young and Bohdanna Diduch — for their leadership. I want to commend each and every one of those hundreds of high school students who —

Mr Ernie Hardeman (Oxford): Took a day off.

Mr Kormos: Not "took a day off," but utilized a morning of valuable class time to express their repugnance for the grossly anti-democratic and increasingly anti-democratic nature of this government, and specifically their condemnation of Bill 160, their awareness of the fact that Bill 160 will take away from them the quality public education that it took generations and generations of Ontarians to build with sacrifice and commitment.

These students out there at Merritt Park in Welland were welcomed. They knew they were welcome at my constituency office, you see, because unlike some other members of this Legislative Assembly, the constituency office for Welland-Thorold down at the corner of King and Division in Welland has an open invitation. It's as much a public place as is the market square or Merritt Park. People in Welland-Thorold are welcome to express

their views in front of our constituency office down there at the corner of King and Division. And I have to tell you, I'm proud of those students who turned out to express their views and to try to bring a little bit of democracy back to this province.

A grade 10 student, Lindsay McCormack, reminded people there that when the Premier was elected, he promised that if he ever broke a promise — perhaps there's something inherently contradictory. If you're not telling the truth in the first instance — if you promise that if you break a promise you'll resign, but if you're not telling the truth with respect to the first promise, maybe it's not binding, something akin to a conundrum. But Lindsay McCormack, a grade 10 student, noted that the Premier promised that if he broke a promise, he'd resign. Lindsay McCormack asked, "Why is he still there?" in view of that promise that he made. Why is he still there? Premier, why are you still there if you promised that when you broke a promise, you'd resign?

Another student, a grade 11 student, Kayti Parrent, said, "If they're wrecking our school system now, will we have one left in the future?" Again, an observation by a grade 11 student that should tell us the level of insight that young people have.

They're as interested in Bill 61, these students — because I'm speaking to Bill 61 here, Speaker. I understand that it's your job to make sure I stay on point, and I understand that more than a few members of the Legislature will have taken it upon themselves to remind me if I should stray, if I should move away from the subject matter of Bill 61, but as I say, we've got to put this in context. You can't isolate any single piece of legislation and not regard it as what it is, as yet another piece of the puzzle. Some are smaller pieces; some are bigger pieces. Go back to Bill 26. We understand now, all the more so, how Bill 26 was the seminal piece of the puzzle, the cornerstone. It was the foundation for what so much else has been built on, that centralization of power, that not just erosion of but attack on democracy and on local governance.

I want to tell you, students like Kayti Parrent, Lindsay McCormack, students like Paul Alfaro, another grade 11 student, who stated in as blunt but as insightful a way as any Ontarian could ever — Paul Alfaro said this. He said: "I want to get Mike Harris out of there. He's causing too much trouble for us." Paul Alfaro, high school student, grade 11, spoke for a whole lot of Ontarians when he said: "I want to get Mike Harris out of there. He's causing us too much trouble."

1840

I'm proud of those students. One of the things that was said was that teachers have taken a stand, and today most students in Ontario are willing to show the province that they don't support Bill 160 either.

Those protests down in Welland at Merritt Park across from my constituency office — it's not my constituency office; it's the constituency office of the people of Welland-Thorold. Those protests were part of a network of protests across the province taking place in commun-

ities and ridings, as I say, in every part of Ontario, illustrative of the broad, widespread repugnance that Ontarians have for Bill 160 and, beyond that, the repugnance they have for the oppressive and anti-democratic style of this government. We'd better value our democratic institutions. We'd better value them enough that we're prepared to struggle for them, prepared to make sacrifices for them.

There have been people in these galleries over the last week who in a disciplined manner, with the utilization of demonstrations and in the most disciplined of ways, have demonstrated their revulsion for the style and tactics of this government and for this government's attack on democracy. They have risked arrest, and some indeed have been arrested. There have been arrests here in the Legislature of people who have engaged in civil disobedience, a style of protest that Mahatma Gandhi and Martin Luther King developed and by which they exposed to the world injustices in their time and by which people in our time are exposing to the world the injustices that are occurring here in Ontario.

Passive resistance. Silent protest. You've been here when they have happened, Speaker. People have been arrested as a result of these. I say the disruption is but a small price to pay for democracy. There are far too many places in the world where that type of protest is met with no tolerance at all. Do we really want to emulate those kinds of places? Is it too big a price to pay for democracy to have the occasional disruption here at Queen's Park? I say no, especially when we witnessed the most disciplined and sincere of protests. Arrests — no charges, I acknowledge that, that I'm aware of — of some of the people engaging in a historically legitimate and universally recognized form of peaceful civil disobedience, passive resistance.

What has happened to them is that they've been served with trespass notices under the Trespass to Property Act which have forbidden them to ever attend at Queen's Park again, to ever attend in this chamber again, in what should be the most public and most accessible of places. These are people who have committed no crime. These are people who have committed no crime but to voice their sincere concern about the attack on democracy that's occurring in this province. People across Ontario celebrate their actions. People across Ontario find it repugnant and unacceptable by any stretch of anyone's imagination that the doors to this building could be locked, bolted and barred to the public.

There are places in the world where that happens, and there are places in the world where that's the status quo. They're called dictatorships, they're called totalitarian regimes, where the decision-making takes place behind closed doors, where there's no public review, no opportunity for the public to observe their legislators in action. We're now finding this occurring here in Ontario.

Understand that these notices under the Trespass to Property Act forbid these people from ever coming to the Legislative Assembly chamber again, forever. I recall two governments ago, to their credit, there were some amend-

ments to the Trespass to Property Act that would have put a time limitation on these trespass notices. Unfortunately, the government of the day allowed that legislation to die. That of course was the government in the years 1987-90. Unfortunately, they allowed the legislation to die.

This legislation, this barring in perpetuity people from having access to this place, a public place, the most public place — we don't own this building. We don't own these galleries. The people of Ontario own them. We're here at their will. This government has changed things around 180 degrees, where the public is here at its will.

I recall the days of throne speeches or budget speeches when the public galleries were as often as not — because it was by invitation only — packed with guests of Mike Harris and his ilk. My goodness, demonstrations in the gallery weren't frowned upon then if they consisted of, oh, applause. That was considered quite acceptable. When Harris's buddies, his banker friends and his corporate buddies, would applaud the announcement of a tax on the poor, would applaud the announcement of a drive to reduce minimum wages, those protests, those demonstrations were considered highly appropriate. But when Ontarians, good, committed, sincere people, dared to engage in silent protest to the oppressiveness of Bill 160, why, they were served with notices barring them from ever attending at this building again.

That will drive people to a point where locked doors will become less relevant, where padlocks and no-trespassing signs will become invitations to break down those barriers rather than to observe them or recognize them. This government is provoking a collision between the insiders, the people in the inner circle, the people with power, who are the people with money, the people with political influence — yes, once again the people with money — the people who have Mike Harris's ear — once again the people with money. This government is drawing a roadmap for a collision course between that small inner circle and the great number of hardworking Ontarians, women, men, their kids, who want to see the restoration of democracy here in Ontario.

First this government slashed welfare rates by 21.6%, 22% for all intents and purposes. Then it jacked up MPPs' salaries by 40%, an additional \$3 million a year. It made single moms and their kids — unemployed; no jobs — pay for higher salaries for MPPs across the board. The minimum wage here is \$78,007 a year. That's the minimum wage. Take that Tory caucus, and there's but a handful who earn but the minimum wage. The majority earn perks in one form or another in varying numbers of dollars.

1850

I'll tell you some of the people who mentioned Bill 61 to me this morning. It came up in a conversation I had with a bunch of hardworking women and men, United Food and Commercial Workers who are currently and have been forced on strike at Maple Leaf Foods, who have been out there on the picket lines not willingly, not because they want to be. Like the vast, vast majority of Ontarians, they dearly want to be at work earning decent

wages for their hard labour, but the workers at Maple Leaf Foods have been forced out on to a picket line.

Maple Leaf Foods, as you know, is a huge Canadian corporate success. Its big-time global aspirations, like meat slaughtering and processing operations, have earned it a pile of money, huge profits. Maple Leaf Foods has spun off into all sorts of other food production: bakeries, pasta-making, frozen foods and even coffee and doughnut shops. But in their quest for yet greater profits, when unemployment remains at double-digit levels across this province, the president of Maple Leaf Foods, one Michael McCain, is offering his workers but the scraps.

Over in Saskatchewan in August 1997, Maple Leaf Foods locked out its workers because they wanted to improve on the base wage rate — catch this, Speaker: They wanted to improve. They had the audacity, as hardworking women and men, to want to improve on a base wage rate of \$9.88 an hour. Please, the audacity to want to improve on an hourly wage of less than \$10 an hour for hardworking people, hardworking women and men. They were locked out.

In October, the same thing happened to workers in Hamilton, Ontario. Their base rate, though marginally higher, was \$10.90 an hour. After the lockout in Hamilton, Maple Leaf Foods had nearly 500 of their workers locked out of their jobs. Then about 900 pork production workers in Burlington, who were faced with company demands for rollbacks — they were being called upon to pay money back to their employer, ranging anywhere from \$6 to \$9 an hour. Here were workers making profits for Maple Leaf Foods, whose bosses called upon them to pay the boss money, pay back \$6 to \$9 an hour. That forced those workers into a strike by November 1997. They were followed just days later by some 750 workers in Edmonton, Alberta, and those workers in Edmonton are being threatened with permanent plant closure and loss of their jobs.

These workers have one thing going for them and that is that they're members of a union. They exercised their collective bargaining rights that weren't granted, that weren't won in any game of chance, that were earned by workers as a result of years and generations of struggle. These Maple Leaf Food workers are members of the United Food and Commercial Workers, the UFCW — you're familiar with that organization — and that's the one thing they've got going for them, that and their courage and their solidarity.

I'll tell you, we in this caucus, and I hope other opposition members share this view, don't think it's right that Canadian workers should have their wages and benefits reduced to rock-bottom levels just because that's somebody's idea and it happens also to be the Premier's idea, it also happens to be the Tory idea of what is the current competitive reality, the drive to the bottom, especially when Maple Leaf Foods continues to enjoy profits. But their goal is to try and swallow up competition. We in this caucus —

Interjections.

The Deputy Speaker: Order, order.

Mr Kormos: To talk about decent wages for Canadian and Ontario workers brings howls of protest from Conservative backbenchers because they don't agree with the proposition. They don't agree that workers should receive decent wages for fair, hard work.

The fact is that the bottom line has got to be that Canadian workers have to be paid what's fair and equitable here in Canada and here in Ontario — period, end of story, bottom line. After all, Michael McCain, the president of Maple Leaf Foods, is doing fine, thank you. I have no doubt that Michael McCain is a strong advocate of the policies of this government. I have no doubt about that whatsoever. Perhaps if I take a look before tomorrow's period of legislative debate, I have no doubt that Michael McCain or somebody down his food chain has made some financial contributions to the efforts of this Conservative Party in their political agenda.

That's why, Speaker, I'm calling on you, I'm calling on my colleagues in this Legislature to stand up with workers at Maple Leaf Foods, to stand up for fairness when it comes to wages and for fairness when it comes to ensuring that workers enjoy a little bit of the wealth that they create. We could stand shoulder to shoulder, and we do, with the United Food and Commercial Workers Union on their picket lines.

But we're also going to boycott Maple Leaf food products. Meat products: that means Maple Leaf, Burns, Overlander, Swift Premium, Prime Poultry, Campfire, Shopsy's, Coorsh, Clover, Bittners, Devon, Parma High Grade, Mary Miles and York. Boycott it. We'll not spend a penny on one of those products as long as those workers remain on picket lines.

That means, when it comes to baked goods: Canada bread, Dempsters, Karnes, Tenderflake lard, Tenderflake pastry and Venice Bakery. Boycott it. Not a penny on a single one of their products as long as their workers suffer as a result of Michael McCain's greed.

When it comes to canned and frozen foods, we're going to boycott KAM, Klik, Maple Leaf canned chicken and ham, Maple Leaf frozen pizza and hash browns. Boycott it. Not a penny spent on those products as long as Maple Leaf Farms workers are forced on to picket lines and locked out of their jobs and called upon to accept less than their fair share of the profits that they're generating.

Other products: Country Style doughnuts, Olivieri pasta and sauces, Buns Master bakeries, Shur-Gain pet food and Livestock feeds. Boycott it as long as United Food and Commercial Workers remain locked out and on picket lines struggling for the most basic of decent wages, the most modest of decent wages here in Ontario.

I received a phone call about Bill 61 from an architect down in Niagara region who encouraged me, and I told him: "Listen, the New Democrats are supporting Bill 61. We're voting in support of Bill 61." More than a few of the things contained in 61 were as a result of the initiatives begun by Marion Boyd when she was the Attorney General in the last government.

Interjections.

Mr Kormos: No, there's no ownership in these things. Ms Boyd, who distinguished herself as an Attorney General, has made it clear to me that she doesn't take any personal ownership; it's not a matter of saying this is some sort of politically driven agenda. But she agrees — I'm sure she'll speak to this in her own right — that it's simply the right thing to do. That's why she began those initiatives as Attorney General and is pleased, far more pleased than I am, to pass the torch on to the current Attorney General, who pales — well, to say that the current Attorney General pales to Marion Boyd is an insult to Ms Boyd, because the current Attorney General pales to a whole lot of things.

1900

A young architect I know, Emilio Raimondo, whose firm has done some outstanding work in Niagara region — most recently they did some work right in Welland — and whose work I'm familiar with and who is a bright young architect I would recommend any time — I say that never having retained him but being well aware of the sort of work he and his partner in his firm have done across the region. What happened is that the architects' association, their society, assigned to various architects the responsibility for contacting members of the Legislative Assembly. It's a lobby. I've got no quarrel with lobbies. In almost 10 years here, I've found lobbies to be a very effective, productive experience. I quite frankly welcome them. You get to learn a whole lot in a relatively short period of time. As a matter of fact, I've urged communities, professions, associations, workers of various types to participate in the lobby exercise. It's one of the ways MPPs can acquire a familiarity with an area of their community they may not have had contact with.

Emilio Raymond, an outstanding young architect who our community is very proud of and who represents his profession well, called me, because part of his responsibility was to contact, I didn't ask him but I suspect, other members from the Niagara region. There are six; there are only going to be four after the next election. The Niagara region gets the shaft.

Interjection.

Mr Kormos: It does. You find that funny? I don't find it funny. The Niagara region, one of the largest regional municipalities in Ontario, gets the shaft as a result of the riding redistribution. It has six members. I tell you, the people in Niagara don't find it amusing at all. Their representation is reduced to four here in the Legislative Assembly.

I don't know if Emilio Raimondo was responsible for contacting other members of the assembly, but he certainly contacted me and I assured him that this caucus, the New Democrats, were supporting Bill 61. His particular interest, of course, was in section 4 of the bill, which restores lien rights to architects and their employees under the Construction Lien Act. It used to be the Mechanics' Lien Act in days gone by, back in the days when I was familiar with the legislation. It's been amended since then.

This caucus concurs with that proposition entirely. I've assured Mr Raimondo that I appreciate his input, that I welcome it, that I'm prepared to listen to him, as I am to every other constituent and constituency within Welland-Thorold, or the whole Niagara region, and respond to the positions put to me. So I received a call from Emilio Raimondo.

I also received a letter from one Paul Aird. My impression from the nature of the letter and the way it's addressed is that it was sent to all MPPs in this Legislative Assembly. I don't know Mr Aird. It's a small article dated November 25, 1997; it's very current. Paul Aird is described as a conservationist and university educator living in Inglewood, Ontario. I quite frankly, off the top of my head, don't know what riding Inglewood is in. I don't know if members can be of assistance.

He has indicated that people can feel free, notwithstanding that this is copyrighted, to use this material freely, excepting, of course, that commercial users must respect copyright limitations. Perhaps by me putting this on Hansard I've impacted a little bit on his commercial copyright; I'm not sure. It may well become public domain.

You'll recall there was a poem during the debate over megacity, by one Robert Priest. You'll recall I apologized for perhaps having infringed on the copyright to Mr Priest's song-poem. You'll recall the lyrics well, I'm sure. As I say, I apologized. Mr Priest — another one of our cultural treasures here in the city of Toronto and in the province — made it clear to me subsequently that he didn't mind at all that I had recited the lyrics to his poem-song here in the Legislative Assembly, because I had heard them being hummed and sung at bus stations and streetcar stops and thereabouts.

Mr Aird, however, has already provided notice that his brief commentary, although copyrighted, can be used freely. The subject matter is interesting in the context of what we've been witnessing — I come back here to the context of this debate over Bill 61 — here in the Legislative Assembly, and that is the attack on democracy.

This treatise is about civil disobedience. There's a strong human history of civil disobedience. I'm not going to read the whole thing. It appears Mr Aird has sent this to every member of the Legislative Assembly, so people who live in a riding represented by a member of the Conservative Party should call their Tory MPP, those represented by Liberals should call their Liberal MPP, those represented by New Democrats should call their New Democratic Party MPP to receive a full copy of it. I think Mr Aird would appreciate it being distributed as thoroughly as possible.

The title, as I say, is Civil Disobedience. I'm not going to read the whole thing, but I do feel compelled to refer to a couple of statements that he makes in this fairly well written and well-thought-out reflection — that's all it is, a reflection — on civil disobedience, in the context of Mike Harris's Ontario.

Mr Aird writes: "The Ontario government's vilification of principals, teachers, school boards and others opposed

to its handling of public education exemplifies the demise of democracy in Ontario. The government's demonstrated lack of respect for its citizens and for their contributions to the democratic process are dangerous warning signs."

Mr Aird doesn't engage in the hyperbole that some have of labelling this government as being totalitarian or worse. I understand there's oftentimes some hyperbole attached to that type of labelling. But Mr Aird very specifically speaks to "dangerous warning signs." I suggest to you that it's a relatively generous statement on his part, that we're merely witnessing the warning signs. My fear is that we're in the midst of the eradication of democracy. Mr Aird, far more generous, speaks only of dangerous warning signs.

He goes on, but then he speaks specifically — had he been aware that we were debating Bill 61 this evening, I'm sure he would have made reference to Bill 61 as well. I have to tell you, first being exposed to the bill, seeing that it was sponsored by the Attorney General, I felt that maybe out of caution we should just automatically oppose it, in view of this Attorney General's history. Take a look at his history.

1910

Mr Peters, the auditor, has spoken of this Attorney General's history over the course of just about the last two years when it comes to collecting over \$300 million in unpaid fines, in victim surcharges, none of which this Attorney General, the sponsor of Bill 61, deemed appropriate to refer to the central collection agency.

This government is beating up on kids, on public education, on the poor, on the sick, on the elderly, and reaching into their back pockets and into their pocket-books, yet over \$300 million of unpaid fines aren't referred to the central collection agency by an Attorney General who is simply incompetent. If it happens once it's an accident; if it happens twice it's two accidents. When it happens as many times as it has happened with this Attorney General, it's nothing short of sheer incompetence.

Do I have to get into the family support plan? Do I have to get into the backlog of cases that he has generated once again, generating the risk of Askov and Melo decisions? Do I have to talk about his abandonment of legal aid and how that's denying, among others, a whole whack of women access to their courts?

Mr Aird restricts his comments to Bill 160. I'm sure he had Bill 61 in mind as well, because that's what we're speaking to tonight. Mr Aird says: "The review process for Bill 160 has become a farce. No white paper was issued to explain the complex bill. Public hearings were rigged to deny access to the public...."

The final comment by Mr Aird is, "For the government to ram the unjust measures" in its Bill 160 "through the Legislature by denying our elected representatives adequate time to debate them is to confirm that democracy is virtually dead in Ontario."

We will have spent more time debating Bill 61 on third reading than Bill 160; Bill 61 which, in so far as I'm aware, every member of this Legislature supports; Bill 61,

which is a brief 13 pages in length, which is innocuous in its own right, which is the result of a process begun by Marion Boyd in the course of her service as Attorney General in the last government. Bill 61, a scant 13 pages, is going to get more third reading debate than Bill 160. Is it any wonder why Paul Aird writes about democracy being virtually dead here in Ontario, when Bill 160 — evil and destructive to its very essence — is going to receive at the government's whim but three hours' maximum of third reading debate when Bill 61 will have enjoyed a significant surplus of that?

Speaker, I want to thank you for your assistance in keeping me on point with Bill 61. I appreciate your efforts in that regard. I want to remind you to boycott Maple Leaf Foods and all their products.

The Deputy Speaker: Thank you. The member's time has expired. Questions or comments.

Mr Gerry Martiniuk (Cambridge): I would like to thank the member for Welland-Thorold for his stream-of-consciousness presentation that would have made James Joyce proud, but unfortunately he really didn't deal with Bill 61. I'd like to deal with that just shortly for a moment.

In this bill we're making amendments relating to the public guardian and trustee to streamline procedures, reduce costs to the public and improve efficiency. These changes will benefit a wide range of clients served by the public guardian and trustee, such as: vulnerable adults, whom I'm sure the member for Welland-Thorold is also concerned with; charitable institutions and beneficiaries of estates; persons who die in Ontario without a will and without Ontario relatives able and willing to act as estate trustees.

We're also amending the Statutory Powers Procedure Act to clarify the details of basic procedural rules applying to Ontario tribunals. This will serve to enhance the efficiencies of the hearing process for business and individuals and the tribunals themselves.

With this bill we also make several changes relating to the Assessment Review Board. The bill makes simple procedural and other amendments which will improve the board's ability to provide better service and make more efficient use of the board's hearing time.

I commend this bill to all parties in the House. I think it will benefit the public and I request that you support it.

Mr Tony Ruprecht (Parkdale): I listened to the comments of the member for Welland-Thorold very carefully. He indicated this evening that there is what he calls a demise of democracy creeping into Ontario. In fact, he goes further and says demise has set in and the rot has set in. In this Bill 61 there are two points I wish to very quickly address.

One is the lack of legal aid certificates. Most of you — certainly in my office — do get some people who come to you and say, "I need a legal aid certificate because I have justice on my side and I cannot go to court, obviously, without some help from the government." That covers a broad range of affairs, but it is clear that if five people a week in my office cannot get legal aid certificates it simply means one thing: that the demise of democracy, as

the member for Welland-Thorold has indicated, is on its way.

We cannot simply afford to have one system of justice for those who can afford it, one system of justice for those who are rich, and a totally different set of principles and justice for those who are poor and who are not able to afford it because they simply can't. That kind of justice cannot take place in Ontario.

I say to you today that it is important that legal aid certificates must be maintained to the point where people of every layer of society feel that they can maintain and have access to justice. That has to be one of the major pillars of our society.

A second point —

Mr Garry J. Guzzo (Ottawa-Rideau): You are making the member for Welland-Thorold —

Mr Ruprecht: I find it hard to hear you across the floor.

The second point is that, yes, he is also right when he says that the dangerous warning sign —

The Deputy Speaker: The member's time has expired. Further questions and comments.

Mrs Marion Boyd (London Centre): I want to thank the member for Welland-Thorold for his comments. It's interesting that the government members get so exercised when this member speaks and castigate his comments as being stream of consciousness. In fact, he was very much on the point, the point being that this is a bill brought forward by an Attorney General who has in many cases not proven to be able to implement the very things he has brought forward in the past. This member is quite right to question whether or not the capacity is there with this Attorney General to effect implementation of this bill.

Furthermore, the member is quite clear about the purpose of our debating a bill at all. So his passionate comments about democracy are very much to the point. His point, that we are indeed speaking about a bill which all of us have agreed is a bill that will pass this Legislature and has good points to it and yet we're debating it at much greater length than some of the world-shaking legislative pieces that this government has brought forward, speaks very much to the issues around democracy that this member raised.

The fact of the matter is that wherever possible, this government limits debate. They limit debate, they limit the ability of the public to respond to legislation and at every turn they do that more. All they do is trip themselves up, as they did today, with the result that their entire agenda is in a shambles.

I know it really irritates members like the member for Ottawa-Rideau when the member for Welland-Thorold puts his finger on the problems this government has, but he does it very eloquently, and he certainly speaks for many Ontarians when he does so.

1920

Mr Wayne Wettlaufer (Kitchener): I was really planning on addressing my comments to Bill 61, but I realize I have to follow the comments of the initial speaker, Mr Kormos, the member for Welland-Thorold,

and he didn't talk about Bill 61. He talked about the extra costs of the pension plan or the extra costs of the salaries of the MPPs.

I have here an article that was written by the Canadian Press, and in there Paul Love of Price Waterhouse is quoted. One of the things that's important to point out is that the pension plan has been reduced, the tax-free allowances have been eliminated and many bonuses have been eliminated, including extra salary for committee work. According to this article it will save taxpayers 5% a year, and the whole thing will be paid off in 20 years or less.

Mr Kormos is so upset about this that I expect he is going to be the first one to walk into the Legislative Assembly office tomorrow and ask for a pay cut. I certainly would endorse that. I did notice that he was being urged on by the Liberal member for Kingston and The Islands, but I realize that member loves to urge people on, and I know he was just sucking him right in and there's a trap there.

The member for Welland-Thorold also suggested that we all boycott Maple Leaf Foods. I'm sure he didn't mean that we should boycott Maple Leaf Foods, because Maple Leaf Foods is owned principally by his friends the teachers' union leaders. The Ontario teachers' pension plan controls 41% of Maple Leaf Foods. I'm sure he didn't really mean we should boycott Maple Leaf Foods.

The Deputy Speaker: The member for Welland-Thorold.

Mr Kormos: At the risk of being accused of rising to the bait, you bet your boots I advocate a boycott of Maple Leaf Foods, as long as Maple Leaf Foods has its workers locked out and denied access to a fair share of the profits. New Democrats, teachers and their leadership, as members of the Ontario Federation of Labour, joined today in greeting the UFCW strikers who attended the OFL convention at the Sheraton Centre. Teachers and their leaders, along with other representatives of working people in this province, rose to their feet and erupted in applause at the arrival of 100-plus UFCW workers currently on strike. You bet your boots there's going to be a boycott of Maple Leaf Foods. Teachers will be engaging in it; Steelworkers will be engaging in it; industrial workers of all sorts and all locals and fairminded people will be engaging in it, because none of us want the products we consume to be made available to us at a cost to workers the way Maple Leaf Foods has called for rollbacks, concessions from Maple Leaf Foods workers.

I want to thank the members of the Legislature for responding. I want to challenge one member who persists in the mythology of the salary reduction to read the government's own budget book, which illustrates that as a result of Mike Harris's pay increases for MPPs, the annual cost to taxpayers in this province has risen by \$3 million. That's a \$3-million pay increase paid for by single moms and their kids as a result of the cutbacks in welfare.

The Deputy Speaker: Further debate.

Mrs Sandra Pupatello (Windsor-Sandwich): I am pleased to speak tonight to Bill 61, which is supposedly being put forward as a red-tape-cutting bill. The government prides itself in doing all of this machination behind the scenes so they can cut red tape, because that seems to be the real business word out there today. The Progressive Conservative Party of Ontario continues to put itself forward as the good business managers of Ontario. Instead, what we're seeing over the first couple of years of the PC government is a continuous example of incompetence.

It was actually quite timely, if not ironic, that we would have the Provincial Auditor's report come out yesterday. If this auditor had to focus on a single area, they certainly singled out the Attorney General's ministry for complete mismanagement in significant areas that it has jurisdiction over, which is quite sad, because it's actually the one area that affects many, many people. This is nothing new. We've seen this repeatedly through a whole variety of ministries.

Last night we were here debating Bill 142 and we passed, unfortunately, Bill 142, workfare. It has been put over on the public as though they've finally initiated that plank of their platform, that they're going to make people work for their benefits. What we know is true today is that this is probably the last thing they're actually doing, and they are paying lots of money for government advertising. Just on the workfare ads, the taxpayers of Ontario are paying \$900,000 for a program that is supposed to be implemented as a mandatory program. Municipalities, cities and towns across Ontario will have no choice but to participate in this type of program. The recipients, who get their cheques from the government every month, likewise have no option; it's going to be mandatory. So what was the need to advertise and spend \$900,000 of my money, your money, taxpayers' money on ads for a program that is mandatory anyway? The people don't have a choice to participate in it. It's laughable.

The truth of the matter is quite simply that the government has not been able to sell this like they thought it would sell. The time is long gone since the 1995 election, when that was the real hot button for the public and the people were angry because the economy wasn't performing well. Now that the economy is performing better, thanks in large part to things completely out of the control of the provincial government, quite frankly, issues like the stock markets, the US market, those kinds of things that the provincial government has very little influence over, now that our economy is flourishing and people aren't as angry any more, all of a sudden the workfare program is just not going over.

We went to the city of North Bay and we couldn't even find support for the workfare bill in North Bay, the Premier's own home town. Of 24 submissions in North Bay — and the PA knows well, he's here; he's laughing now but I'll tell you he wasn't laughing in North Bay. The truth is, of 24 submissions, not one could support Bill 142, which was really quite sad. We knew there was some real

problem with the public relations strategy at work behind the scenes and in all of those Tory minds back there.

What's very interesting about red tape bills — I'm always surprised that my office in Windsor doesn't get calls from the community that say: "We have too much red tape. There's too much red tape. I'm having a real problem." In fact, most constituency offices don't hear enough from our business community and we have to outreach into those communities. There probably are a number of areas that really need to be streamlined, and governments should continually work to streamline the system to make life easy for people who need to access government for whatever reason.

This is what happened some time ago in one of their red tape bills. It was in today's copy of the *Toronto Star*. The entitlement of the article was, "Surprised Metro Finds Out Couriers Don't Need Licence." It goes on to describe one of the red tape bills the government passed. What was quite interesting about it was that it was a regulation giving municipalities the power to license and oversee couriers, that this in fact had been dropped. But more interesting than that was that "The commission" — that is in Metro — "had no idea the province was considering deregulation of couriers," — said one from the commission — "and was never consulted about it."

This is quite a pattern for the Ontario government. You don't consult on anything. We don't know who it is you keep saying you've listened to, but time and time again we find more examples where the people who supposedly should know simply have never been consulted.

This went on to say, "She said next year's \$270,000 in licensing revenue could have been made up elsewhere, if the province had told them sooner." So not only did they not consult the group before they removed the regulation to license couriers, they didn't even tell anybody they were doing it. It was put off at the time, "Just more red tape we really don't need."

In fact, one of the Metro councillors now, who is "a member of the licensing commission, said the province's move is 'outrageous,' especially since Metro was never consulted about the benefits to the public of licensing couriers." It goes on to say, "It means any unsavoury character can deliver your documents, cheques or parcels without even a cursory check of that person's background. He could be a thief or fraud artist and nobody would know,..." Wood said the couriers were deregulated partly because the Progressive Conservative government is committed to eliminating red tape."

1930

I would submit that there are really some very good reasons why certain types of regulations were put into place in the first place. Their excuse is:

"The industry could potentially be forced to get licences in every municipality which they are sort of passing through or dropping off. In that sort of scenario it would be very cumbersome for the industry to operate.

"Our sense is that consumer protection is no longer an issue."

Would it occur to anybody that consumer protection is no longer an issue because they regulated the couriers in the first place, that in fact they were able to weed out any that might be fraud artists because of the regulation itself? No wonder it wasn't a consumer issue. Then the Metro councillor laughed when he was told the province's justification and said:

"How do you know that the courier doesn't have a criminal record as long as your arm and will skip town with a big certified cheque? It wipes out the requirement for them to carry insurance.

"The real issue is, who will protect consumers from the municipal affairs ministry?"

In fact, you guys are being painted as the bad guys here.

It's quite fascinating because here you are, the Ontario government, actually eliminating regulation that has a very real reason for being, and here we are tonight discussing another red tape bill. You wonder what its purpose was. What exactly was the purpose to bringing it in? Has any of that been identified? If we left it to the Attorney General's office, we would have some problem.

We've had significant problems with the Attorney General's office ever since the provincial election, probably well before that as well, although we realize there was some effort to improve that.

The point is, this government gets elected on the basis of being good business managers. If we brought this gang to Windsor to work in our business community in the Windsor area, they'd have been fired years ago — fired or you'd go bankrupt. You simply could not survive operating in the style of management that you operate. You would never survive.

We had this experience with the family support program because this government in its wisdom decided to shut down the regional office. Before it ever had a plan on how it was going to manage the closure of regional offices, it just closed them. It laid off stacks of people across Ontario in its closure of offices, people who had the wisdom to know how programs actually ran. You got rid of them all, all the people with experience. Then you decided, after you got rid of them, that you needed some people to do some program work, so you called up GO Temp and you hired people with absolutely no experience, likely paid minimum wage, to come rushing in. You rented floors out of a hotel building and used their telephone system to make the phone calls.

I can't be telling you guys anything new. You've all heard this before. The point is, it's sheer incompetence because you didn't think before you acted. The end result was that families in the Windsor and Essex county area were not getting family support that was due to them; not even a social program that the government was paying for. It was money due and entitled to them from support partners. That's what it was. But all of that money went up the flue somewhere, never to be found. Months and months have gone by and we still have outstanding cases.

In the meantime, we already went through a Christmas season with moms, predominantly moms, not getting

money that was owing to them. We would come in the House day after day with example after example trying to put this Attorney General on the hot seat. We said very clearly then how absolutely incompetent of you to shut down regional offices, to completely change programs over with no plan, with absolutely no plan, no vision.

The reason this is so familiar, this ringing of this "no plan, no vision," is because it's exactly the same speech that our Minister of Health gave just a couple of weeks ago to the Ontario Hospital Association. The Minister of Health went to the hospital directors and had to admit that in the area of health care we have had no plan and no vision.

After two and a half years of governing in Ontario you would think that in the area of health care, where you're actually dealing with life and death, with the deliverance of health care to God and country, you could have had a plan and a vision before you decided to implement all your various changes — to shut down hospitals, to merge hospitals, cut their budgets outright. Just at a time when they needed people, you laid off people.

When we needed more community services because of the significant shrinking too fast in the hospital sector, you came around and you sprinkled all these announcements around Ontario, but you never brought the cheque.

The former Minister of Health came down to Windsor months ago and with great fanfare announced moneys to go towards the anorexia-bulimia society in a program that was going to be delivered out of the hospital. He did the cheque-cutting ceremony months ago. Do you know when we got the first red cent for that program? A couple of weeks ago. You got the great headlines. That was a year ago.

You don't have the plan and you don't have the vision, so we continue to come in the House and say you cannot cut hospital budgets before your plans are in place, you can't shut hospitals down before you have community services in place, because you say that's going to work. You didn't have the plan and the communities all knew that.

Finally, two years later, you have a new health minister and the first speech she delivers to the Ontario Hospital Association is, "We have no plan and we have no vision." I'm listening to this and I'm thinking, "Where have you been for two years?" We've been saying this for two years.

When you come from the city of Windsor with the kind of monumental change that we have gone through in our health care system, that I admit now we walked into voluntarily — we walked into that under the last government. We said, "Okay, we'll change how we do business, we'll fix it, we'll try something different, we'll go out on the edge here," because the government guaranteed that all the money saved in restructuring was staying in the community.

The first October of the PC government, the biggest, most fatal blow that we suffered in Windsor was the admission by the Minister of Health at the time that the money was not going to stay in our community. We had to

tell the rest of Ontario that this is going to be the new age of health care all right, and just brace yourselves, because God knows what's coming next. In fact, we've seen that across the board now, this kind of mismanagement, no plan, no vision. We see it time and time again.

There are other ministries that deal with issues that aren't life and death, but if you could pick which ones were your absolute most vital, that you should have spent the time to plan and not be prepared to just rush in and make all of your cuts because you're on some kind of ideological bent, the area of health care would have been the area to do that. That's not what you chose to do.

Interjection.

The Deputy Speaker: Member for Etobicoke-Humber, you're not in your seat.

Mrs Papatello: The member from Etobicoke has the nerve to speak out. I wonder if this member specifically has ever come to the Windsor area. Have you ever decided to try our emergency services lately?

Interjections.

The Deputy Speaker: Order, please. This is getting out of control.

Mrs Papatello: I don't apologize for being provocative on this issue. We understand that you are under significant pressures in your ridings right now. Bill 160 was another crash-and-burn exercise for the government. In my view, it's been the issue. It should have been your issue. Unfortunately, it was our issue for the people of Ontario. In education, it seems you don't have a plan either. This kind of pattern is being repeated over and over again within every ministry.

Here's our good friend from Grey-Owen Sound. We went up to Owen Sound to visit Bill Murdoch when he had a ribbon-cutting ceremony. I'm just curious to know. Did you actually receive the money? The answer is no.

They sent the minister up there to cut the ribbon for long-term care in that community. Has the money arrived at the door of his riding? Not one red cent. These ministers are pretty clever. What they do with their budget is they allocate all these special funds in all these special categories. Then they send their ministers around to do all this ribbon-cutting: "We're going to reinvest here; we're going to reinvest over there." Next thing you know, they strike up another commission so they can talk about it. The only thing these commissions are successful at doing is delaying the expenditure of the dollars. That's exactly what you've done in the city of Windsor, let me tell you. That's what they're doing in your riding. I want you to go back home and count the pennies when they finally get there, but don't hold your breath; we won't see you again. The truth of the matter is I would like to see that member again.

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Mr Bill Murdoch (Grey-Owen Sound): Will you come back to visit me?

The Deputy Speaker: Order. Member for Windsor-Sandwich, direct your comments to the Chair, please.

Mrs Papatello: Quite frankly, the situation with Windsor health care isn't even funny. It would be laugh-

able if it wasn't so serious. We had the minister commission a report on emergency services. That was in the month of August. It was actually submitted to the minister August 8. Did they come forward with what the report said, with the minister's own people making the report about emergency services in Windsor? No, we had to get our own copy of that report.

We had to unleash it on the House and say: "Look, your own people are telling you everything you've done is wrong," that you've got the gall to cut funding which shuts an entire emergency service down at the west end of Windsor, in the heart of my riding, without any kind of building of the other two emergency sites. You don't have enough emergency bays outside for an ambulance to even drive up in. You've got the ambulance stopping on Ouellette Avenue and rolling the patients on the gurney right down the driveway. How many of you people would ever put up with that kind of circumstance? None of you would.

I have invited you time and time again to come down to Windsor so we can talk. I want you to come to Windsor so you can see. I want to show you the sheer incompetence of the Ministry of Health and the Ministry of the Attorney General. We'll take a walk down Ouellette, where the family support plan office used to be, where the people actually knew the names of the business contacts. When the cheques weren't working out, they could call the guy at GM or the girl at Ford or wherever and make all the arrangements you had to. But you didn't do that. No, you just shut everything down without thinking about it.

What's absolutely staggering to me is that the auditor's report comes out and speaks directly to the incompetence of the Attorney General, and says, "The criminal court backlogs are more serious than under the NDP." Well, who would believe that?

Mr John Gerretsen (Kingston and The Islands): They were serious then.

Mrs Papatello: They were quite serious then. It says uncollected fines hit \$316 million from last March. I want to know where the snitch line is for these unpaid fines. How can this government bring another snitch line in for fraud and welfare, and you don't bring in a snitch line for fines that go uncollected, that they actually admit to this kind of incompetence?

It says as of last March the province was owed \$316 million in fines under the Highway Traffic Act and Criminal Code. It says 60% had been in arrears for more than two years; it collected just \$25 million. We could build a lot of hospitals with the money that's out there that you don't want to go after. That's the kind of competence we'd like to see in a government, that we haven't seen yet from this government, right across ministries.

We watched what happened with community and social services. You've got the nerve now to pass a bill with absolutely no system in place for all your delivery agents across Ontario to even deliver workfare properly, because you don't have the computer technology to do it. That was reflected again in the auditor's report: The Attorney General doesn't have the computer system to set up what

he's supposed to in order to do his job properly. I realize it's shocking to the people of Ontario that the PC Party in government here in Ontario is completely incompetent.

The Deputy Speaker: Questions or comments?

Mrs Boyd: It's always hard after the member for Windsor-Sandwich gets up to try and choose what on earth we're going to respond to, because the passion is so great it kind of overwhelms us. She certainly feels very strongly about the issues that she raises.

I would like to point out to the member that she shouldn't be talking about the Askov decision as having been a problem of our government; it was our problem to solve. In fact, the previous Liberal government did exactly what this government is doing: It gave lots of rhetoric about improving court procedure and ended up destroying and backlogging the courts.

When the member for Windsor-Sandwich points out that the situation is by far worse now under this government, with all the Attorney General's comments about these special blitzes and so on, we all told him that those special blitzes wouldn't work to solve the problem he's got. We all gave him various suggestions about what needed to be done, but the finance minister said to the Attorney General, "I don't care what your problems are; you have to take millions of dollars out of the running of the court services." That's exactly why you're in the mess you're in.

This bill, as the member points out, with all the fanfare about cutting red tape, is just an effort on the part of this government to try and reassure people that they are doing something constructive. In fact, we keep telling you that when you do this kind of bill, you leave yourselves wide open to criticism and comment about the other incompetencies that you are displaying every day as a government. The electorate is not going to stand for it.

Mr Murdoch: It gives me pleasure to speak tonight for a short time. First I'd like to thank the member for Windsor-Sandwich for coming to our riding when we had a great day cutting red tape, and when money was being reinvested into my community. We certainly appreciated the day she was there to signify this great event. I want to tell the member for Windsor-Sandwich that the money is there, it's in the bank, the project is well under way and everything's going fine.

But I'd like to mention another project that she was criticizing: We now have dialysis machines in our hospital in Owen Sound. We would never have got those without the reinvestment. In fact, we cut the ribbon after the machines were in there. Can you believe that? The money had to be there or we would never have had the machines.

I appreciate her comments. I'm sure she's actually going to vote for this bill. I can't see why she wouldn't. I can't see why anybody wouldn't vote for this bill to cut red tape. We have too much red tape in this country now.

Actually, the ribbons that we cut were blue, too. I want to mention that. The ribbons that we cut that day were nice and blue. Maybe they should have been red; I'm not sure.

Mrs Boyd: They sure weren't apple green, were they?

Mr Murdoch: No, they weren't green at that time, but we could cut some green ribbons pretty soon. I think there are a lot of them floating around places where maybe they shouldn't be. Somebody's going to have to clean those up and that's unfortunate, but we will get to those when the time comes.

As I say, the member got overexcited. I don't know whether she was here when the Speaker of the House, Mr Stockwell, used to speak. He used to get excited like that and we used to have to give him a Valium. Somebody here may have some for you, because I was worried about you. I'm sure you must have been watching the Speaker, Chris Stockwell, when he used to get excited. But you have a couple of good folks right around you there, from Ottawa and Kingston and Manitoulin Island, who will look after you.

The Deputy Speaker: Thank you. Your time has expired. The member for Ottawa East.

Mr Bernard Grandmaître (Ottawa East): What I like about my colleague from Windsor-Sandwich is that she's so factual. When she does research, she does a great job. You've got to give her credit.

To our friend from Bruce-Owen Sound —

Mr John R. Baird (Nepean): You can't say that with a straight face.

The Deputy Speaker: Order, member for Nepean.

Mr Grandmaître: You're cutting into my two minutes.

To our friend from Bruce-Owen Sound, I don't know what Mike Harris gave him, what kind of promises Mike made to our friend, but I'm telling you, he's onside now. He'll cut any kind of ribbons — red, blue, orange, green. You're doing a good job.

Going back to my colleague from Windsor, we had eight ministers who stood in this House introducing their red tape — when we talk about red tape, we're talking about frills. We're talking about bureaucracy; speed up the process. But whenever this government brought in their red tape bills, it increased bureaucracy. Now all services are centralized in the minister's office. You can't reach a human being, you can't talk to a human being. Everything is voice: voice box, voice mail. You can't talk to a human being.

I think my colleague from Windsor said it so well, that this government has no vision and they're spending our tax dollars foolishly and also increasing the deficit of our province —

The Deputy Speaker: Thank you. The member's time has expired. Further questions and comments?

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Mr David Christopherson (Hamilton Centre): I appreciate the opportunity to respond to the comments of the member for Windsor-Sandwich, but I would also like to comment on the member for Grey-Owen Sound, who seems to have an interest in prescribing drugs this evening. It's interesting he would want to broach that subject, given the recent flip-flop by him and the members for Hamilton Mountain and Wentworth North with regard to the downloading bill. It would seem that Mike Harris

has been prescribing Prozac for you and some of your colleagues in terms of how calm you appeared coming out of your recent caucus meeting, given the full head of steam you seemed to have going into the meeting. Something took place there.

With regard directly to the comments of the member for Windsor-Sandwich, when she talked about red tape and the fact that this government has an exercise in cutting red tape, the reality is behind the excuse of making things more efficient and simplifying things, they're actually going after regulations that are important to this province.

Ask anyone who's involved in the protection of our environment about the up to 50% of the regulations that were in effect to protect our environment that are now gone, eliminated. That had nothing to do with efficiencies. That had nothing to do with simplifying government. It had to do with removing protective barriers that your friends deemed to be an impediment to their maximizing their profitability. They're entitled to make a profit, but they're not entitled to maximize that profit at the expense of our environment. That's what you're doing and that's one example. I intend to expand on that theme a little later when I get an opportunity to speak directly.

I want to compliment the member for Windsor-Sandwich. I think she brings great passion and considered opinion to this.

Mrs Pupatello: It's unfortunate that the members across the way don't take seriously what we in opposition have to say about the things that you are doing that are affecting real people out there in Ontario. The truth is I've invited several of the members to come to Windsor. I've been prepared to give you personal tours, tours with all of our medical professionals, for example. If you don't think health care is an issue, I invite you to come to my riding. Things that I bring to this House —

Hon Jim Wilson (Minister of Energy, Science and Technology): You staged a protest —

Mrs Pupatello: The former Minister of Health says that he came and I staged a bunch of protests. In Windsor these things are spontaneous now under this government. Quite frankly —

Hon Mr Wilson: You didn't even say thank you. You held a press conference and crapped all over me all day. That's what you did. That's how much class you have.

The Deputy Speaker: Stop the clock. Sit down.

Mr Christopherson: Share the Prozac.

Hon Mr Wilson: You were an embarrassment.

Mrs Pupatello: Hansard, are you getting all this?

The Deputy Speaker: Order. Come on. Speaking of Prozac, everybody calm down. Minister of Energy, calm down. Come to order.

Mrs Pupatello: Jim, I thought you and I were friends.

Hon Mr Wilson: You were mean. You were the meanest I've ever seen in 14 years, and I'll always remember.

The Deputy Speaker: Okay. Now, come on. Minister, you've had your say, okay? Order.

Mrs Pupatello: We've obviously struck a chord here with certain members of the PC Party.

Mr Gerretsen: Certain ministers.

Mrs Papatello: Certain ministers in fact. For me to be doing my job with the people I represent in Windsor, if this is the kind of language that I'm going to suffer through, so be it. The fact of the matter is we don't come to Queen's Park to be popular with this gang. We come here to do a job, and my job is to make sure that this government knows exactly the kind of incompetence and its effect on my riding of Windsor-Sandwich. If the former Minister of Health doesn't want to recognize that he has created such significant problems in my riding, then he's putting his head in the sand and he's going to have to deal with that.

Frankly, the new Minister of Health has to deal with that because regardless of who you represent and what party, the government of Ontario is responsible for delivering efficient, safe, quality programs —

Interjection.

Mr Gerretsen: I know. We all feel the same way.

The Deputy Speaker: Order, member for Kingston and The Islands.

Mrs Papatello: — to the people of Ontario, and so far on that score this government gets an absolute, complete, the biggest F that we could ever find for complete and utter incompetence.

The Deputy Speaker: Further debate?

Mrs Boyd: I will try and lower the temperature in here and try and be mindful of the blood pressure of the member for Simcoe West. He seems to have a real difficulty tonight keeping his cool.

Interjections.

The Deputy Speaker: Come to order, please. Member for Windsor-Sandwich and Minister of Energy, come to order now. That's enough.

Mrs Papatello: The minister has to act like a minister.

Hon Mr Wilson: I'm a human being and you have to treat me like a human being.

Mrs Papatello: You were the worst opposition member in this House and you have the gall to lecture me?

The Deputy Speaker: Member for Windsor-Sandwich, that's enough.

Interjection.

The Deputy Speaker: Member for Windsor-Sandwich, I am warning you.

Mrs Papatello: Point of privilege.

The Deputy Speaker: Member for Windsor-Sandwich, come to order. This is an outrage. We're in the middle of a debate. You're taking away time from the next speaker and I want to continue the debate now.

Mrs Boyd: I really do think my time should be restored, given the shouting match that has occurred.

Interjection.

The Acting Speaker (Mr Gilles E. Morin): Order.

Mrs Boyd: May I begin? Thank you, Mr Speaker. I'm pleased to have an opportunity to speak during the third reading of Bill 61 because many of the changes that are in Bill 61 follow along with changes that we initiated during our term of office and that are being put into place in an effort to try and streamline procedures. It is quite clear from the bill that the plan is to try and remove some of the

impediments that have been there, particularly when we look at the Assessment Review Board changes — the impediments that have been there to ensuring that individual citizens get a fair hearing.

We have no objection to those particular changes in the part of the act around the Assessment Review Board. We know that the chair of the Assessment Review Board has been recommending those kinds of changes for some time. The huge volume of appeals within the assessment regime over the last few years has really required a rethinking of the process and it seems quite obvious that the efforts that are being made in this bill may indeed help to streamline that process.

I would have one caution and I think this is true when we are changing anything in the process. We need to have some way of measuring the outcome. Do these changes actually streamline the process and make it easier for those who have concerns to be heard, or will these changes shut down some of the democratic process? I would have preferred to see in this bill, as in all the rest of the red tape bills, some measurement of what the outcomes are, some way in which we can look at a baseline of information and then we can look at the outcomes once the changes are made and ensure that the stated intent of the bill is how it actually operates for those who are the recipients of the services of the various areas.

2000

Quite frankly, that is particularly true of all the many changes that have happened under the office of the public guardian and trustee. It is extremely difficult for people, I think, certainly the general population that has not itself had dealings with that office, to know how very delicate their task is at times and to understand the very strong and, I would say, evolutionary changes that have happened to the whole process of public guardianship and public trusteeship over the last few years.

This is an area that gave rise to great distrust among the general population. Many people felt that if their affairs were being looked after by the public guardian and trustee, they were open to all sorts of indignities and indeed might never see their property gain the kind of care that it ought to have. I think there has been a great effort to try and change that process to make that process more open and to ensure that the rights of individuals who come in contact with the office of the public guardian and trustee are being respected and that we are seeing the kind of care for their affairs that is intended in this kind of act.

However, again there is no way to evaluate what the effects of these changes and the other changes may have been, and given that there have been huge deductions from the operating budget of this office at the same time that it has had a quite considerable increase in its duties, we all need to be very concerned about whether cutting the red tape as this bill suggests and reducing costs as has been required by the Treasurer is in fact giving that kind of care to those who depend upon the public guardian and trustee to look after their affairs.

I must say that one of the concerns that has been expressed has been whether we have a situation where in

streamlining things we are losing some of the explanation to those who are accepting the services of the public guardian and trustee. I would hope there would be great vigilance on the part of the Attorney General that when these changes, added to the other both administrative and legislative changes that have happened over the past few years, are all taken into account, those who are served by the public guardian and trustee indeed are more satisfied with the services that they receive and that we as a community are more convinced that those services are being provided in an appropriate way. That would be my hope.

The amendments to the Statutory Powers Procedure Act, which is part of this bill, were certainly envisioned during some of the changes that were made by our government, and it really has been made necessary as a result of the outcomes of some of the changes that were made. The 1994 amendments were not perfect, so this bill is correcting some of the problems in that act that arose partly out of those 1994 reforms and yet is very much within the framework that was accepted by this Legislature in terms of reforming some of those processes.

Again, because an enormous amount of change has happened in the administrative law area, it is going to be essential for there to be some measurement of the success of those changes over time. I would suggest that we have a huge body of expertise among those who run our quasi-judicial bodies, those who do administrative law in the province, and we should be listening to those experts who work every day with the particular statutes that they are administering to ensure that the changes we're making have the effect we want them to have.

Again, the change to the Estates Act is a consequence of drafting errors and oversights that happened during the 1994 changes. They're part of that evolutionary process.

Mr Derwyn Shea (High Park-Swansea): On a point of order, Mr Speaker: Would you be good enough to ask the table to check the House and tell me if there's a quorum present.

The Acting Speaker: Would you please check if there is a quorum.

Clerk Assistant (Ms Deborah Deller): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker: The member for London Centre.

Mrs Boyd: For a while there it became fairly obvious that the heart of the government is not in this work tonight, and it's good to know that we can continue. Since we keep being told by the government House leader how important all this legislation is and how great his expectation is that we will get down to business, it's peculiar, to say the least, that the government members appear to be reluctant to be in the House to do the business that their House leader wants them to do.

I am very pleased to see the change in Bill 61 to the Construction Lien Act that includes architects and those who have certificates under the Architects Act in the Construction Lien Act. When I was Attorney General, we

went to a lot of effort to try and deal in a very clear way with the real problems that the construction industry was facing in terms of construction liens. It was very clear that the court process that had been used for a number of years was badly backlogged, but in fact what we were seeing was tradespeople consistently being done out of their earned money as a result of the delays in the whole process of trying to get the honouring of construction liens.

When that process was dealt with to some extent, streamlined to some extent through negotiation, very lengthy and careful negotiation between the construction liens industry, between the building industry and the Attorney General's ministry, we were able to come to a process that had agreement from all parties, even though it wasn't the ideal that either had come with, but the piece that was missing was this piece about architects and those having certificates under the Architects Act. It was missing from the original act. We had negotiated a process as opposed to bringing in legislation, and I am very pleased to see this inclusion under this act.

2010

The last item, which is the one I'd like to spend the rest of my time talking about, may surprise you because it is a very, very short item in this bill, and that is the item that repeals the South African Trust Investments Act. The explanatory note of course reminds us that with the end of apartheid in South Africa there's no longer any need for legislation in Ontario which places sanctions on that formerly undemocratic country.

I find it somewhat ironic that in this bill we are repealing an act that was made necessary by the undemocratic behaviour of a government in South Africa that ignored the wishes of the majority of the people in South Africa, a government that was eventually overthrown because of the civil disobedience of the people of South Africa and a country which is now struggling, and struggling against enormous odds, to make democratic process the basis of government in South Africa.

I say it's ironic because in fact we here in Ontario find ourselves subjected to a government that is ignoring the very democratic process that our cousins in South Africa are trying to put in place. This is a government that is systematically destroying the democratic process that has evolved over many years in this province and has evolved through the work of all three parties over a good length of time and that this government flouts at every turn.

This government is now engaged in struggles with virtually every sector of the economy, with every sector of society because it has not consulted fully with people, it has not allowed itself to take the time to listen to the population and in fact it has taken very strong actions to try to stifle the kind of civil disobedience, the kind of ability of citizens to express themselves at every turn.

I find it quite ironic that we are in a position of recognizing that the bill that is being repealed, the South African Trust Investments Act, was put in place as a measure by the democratic government of Ontario as a sanction against the undemocratic former government of

South Africa, that we in this Legislature passed an act that was designed to show our disapproval of those undemocratic actions.

Here we are repealing that act because the majority of the people of South Africa have won back the right there to have a democratic government. They won that right through many, many years of struggle, and yes, often that struggle involved their breaking the law, sometimes with passive resistance, sometimes with active resistance, and most of us here would deplore some of the acts of violence that occurred during that resistance.

But the reality is, because of that resistance, because of that disobedience, because of that steadfast effort to criticize, to try to bring reason to a government that was so blinded by prejudice, so blinded by power that it wouldn't listen to the people of South Africa, they eventually were able to convince their governors that the old ways were wrong and that it was necessary to make democracy a reality in South Africa. I think even the renowned president of South Africa would say that's still a work in progress, and we know the efforts that have to be made to overcome years and years of anti-democratic government and the kind of civil resistance that that entails takes a good, long time.

Many of us here in this Legislature have had the opportunity to meet with elected representatives from South Africa and to talk to them about our experience of democracy. When they first started to come to visit while we were in government, we were so proud of the process that we had developed in Ontario and so happy to share the kind of rules of our Legislature that we had, the kind of way we respected one another as opposition and government members, the way in which we in fact lived out the dream of democracy in our own province.

I think it would be very hard to be so proud today when we know that time after time this government has refused to bring these issues to the Legislature in a way that enables a lot of public input, in a way that demands genuine compromise where there is serious disagreement. That is not the way this government governs, so it is quite appropriate that virtually every opposition speaker on this bill has had occasion to talk about the various undemocratic acts of this government and to talk about the need for us as legislators to provide the voice of those this government refuses to hear.

As I say, it's quite ironic that we are saying the defeat of apartheid in South Africa makes it possible for us in this bill to repeal the South African Trust Investments Act, that we in this country and this province have so admired the efforts of those in South Africa to create a democratic process that is inclusive of all in their country. Yet we find ourselves in this place with the kind of undemocratic behaviour that has happened tonight and we find ourselves in this province with the repeated act against democracy that this government has made.

We will be supporting this bill, but the government needs to understand it is an occasion for us to speak as the voices of those who are not heard.

The Acting Speaker: Questions or comments?

Mr Alex Cullen (Ottawa West): It gives me great pleasure to follow the comments made by the member for London Centre on this bill. I think she has made some excellent points in terms of how we approach government. Certainly the administration of government is a very important responsibility of any government, and we are dealing here with a bill that is going to affect that administration of government, the administration of justice. I do want to point out that the integrity of our justice system is very important.

It's very important for all of us to make sure that there are sufficient resources within that justice system so that true justice can be done. For those of you who believe that just because there's a law that forbids anyone from sleeping under a bridge, therefore that affects everyone equally, we know that is not so and we do our best to try and make sure that all people's rights are recognized in the administration of justice.

The bill itself, Bill 61, says it's An Act to simplify government processes and to improve efficiency in the Ministry of the Attorney General. As has been pointed out earlier in debate with respect to this bill, we have a government that is hell-bent on trying to reduce red tape, and some people may say that's a good thing, reducing bureaucracy. Some people may say that's a good thing, but when you get to the point where you seriously impair the administration of justice, then you have to ask yourself whether you are going too far too fast, a mantra I heard countless times this summer in the by-election in Ottawa West.

I just have to look at the Provincial Auditor's report that has just been tabled. In the Provincial Auditor's report he notes that nearly one third of the 224,000 cases in the Ontario Court (Provincial Division) have been on the docket for eight months or more. That's over 70,000 cases. So here we are, on one hand, the government promoting a bill presumably to improve efficiency, but on the other hand, the government is condemned by its own Provincial Auditor because of its inefficiency —

The Acting Speaker: Thank you. The time has expired. The member for Windsor-Riverside.

2020

Mr Wayne Lessard (Windsor-Riverside): I want to take this opportunity to express my praise for the member for London Centre's comments. Once again, she's impressed us with her incredible preparation and research with respect to the comments she's made with respect to Bill 61.

As the former Attorney General of Ontario, the member for London Centre is able to speak to many of the provisions of this bill with a level of expertise that very few of us are able to comment with. That's why I really appreciate the comments that she made, especially with respect to the effects this bill's provisions are going to have. Is it really going to be able to achieve what it sets out to do, and that is to improve efficiencies and save time and money for those people who are affected by its provisions? There really isn't any way for the Attorney General to determine that effect.

I especially appreciated her comments with respect to the repeal of the South African Trust Investments Act, which recognizes the end of apartheid in South Africa. We need to recognize that was a situation where a government was overthrown because of civil disobedience, where the majority of the population didn't even have the opportunity to vote. It was a place where the government finally was able to recognize the importance of equity, of inclusion and of fundamental democratic principles.

The reason that act was originally proclaimed was to show our disapproval for the lack of rights of the majority of citizens in South Africa and it's ironic that now we would condemn the civil disobedience of people like —

The Acting Speaker: Time has expired. The member for Cambridge.

Mr Martiniuk: I merely rise to congratulate the member for London Centre. In speaking to the bill, I believe you have the distinction of the first speaker this evening to deal with this important matter. I appreciated hearing some of the history that I was not aware of in regard to the repeal of the South African Trust Investments Act. I thought it was an excellent presentation.

Mr Michael A. Brown (Algoma-Manitoulin): I too was impressed by the comments of the member for London Centre. One of the things I suppose that confuses me and confuses, I think, a great many Ontarians is the very title of these bills. When you talk about "red tape," everybody's in favour of getting rid of red tape. In previous parliaments this kind of bill was usually referred to as a housekeeping measure. There were always needs in the system to deal with rules, laws and regulations that had become archaic; there always will be. I appreciate, as all Ontarians do, I suspect, the particular political spin of this being cutting red tape all the time when this kind of thing always appeared to happen with a different title.

Standing in the name of the Attorney General, I find this passing strange, and I'm sure the member for London Centre obviously does too, this Attorney General who created absolute chaos in the family support plan, this Attorney General who is in the midst of creating absolute chaos in our court system. We have the auditor telling him that his management of our justice system is just not acceptable.

We have the Attorney General who during estimates was proud of the fact that we are now plea-bargaining far more cases. I think many Ontarians would not have expected this particular government to have embraced plea-bargaining as the means to providing better justice in the province, but that's what we're seeing.

The Acting Speaker: The member for London Centre, you have two minutes.

Mrs Boyd: I'm pleased to thank the member for Windsor-Riverside, the member for Cambridge and the member from Kenora for their kind comments.

Mr David Tilson (Dufferin-Peel): Algoma-Manitoulin.

Mrs Boyd: I'm sorry?

Mr Michael Brown: It was Algoma-Manitoulin.

Mrs Boyd: Algoma-Manitoulin. I beg your pardon, my friend.

I would like to say very clearly that we will be supporting Bill 61 because there are some good things in it, but as has become very clear from the rather difficult evening that we have been having in terms of the conduct of the Legislature, it is quite clear that the government members resent the obligation and the duty of opposition members to oppose.

Even though we will in the long run be supporting the bill, we have an opportunity, in discussing this bill, to talk about the concerns that are brought to us by our constituents. That is our job. Our constituents are very concerned about many of the particular pieces of legislation this government is bringing forward, but very clearly about the measures that this government is taking to get its way in this place and in the province, and doing that in a way that is destructive of the principles of democracy that the people of Ontario really appreciate.

While government members are attempting to try and portray the opposition voices as not speaking to the bill, the reality always is that as opposition our job is to call the government to account.

The Acting Speaker: Further debate?

Mr Gerretsen: I'm pleased to join this debate, but I can't do so without first saying that once again the people of Ontario should realize, since we are sitting this evening, that as a result of the rule change that the government brought in in June of this year, in effect we are dealing in a different sessional day. What that means is that normally in a sessional day there would be a question period, but those rules were all changed. We now have sessional days for the first time in the history of this Parliament, which has existed for over 150 years, where a sessional day does not include a question period. A question period is the most important period of time for the opposition to hold the government accountable for its actions.

Tonight we are dealing with Bill 61, which is An Act to simplify government processes and to improve efficiency in the Ministry of the Attorney General. First of all, the government ought to be congratulated on getting draftspeople to always give these bills such tremendous titles. Actually this is a toned-down version of the titles that are given to most of the bills around here. But I think it's very interesting that they should talk about improving the efficiency in the Ministry of the Attorney General.

Let me just start off by saying, first of all, this is the one department that I think it's fair to say over the last two years — particularly with all the problems relating to the family support plan and all the tremendous number of women and children who were left without support payments as the offices were closed throughout this province. Some of these people didn't get money for three to four months and they required the support money on an ongoing basis in order for them to support their families and their children.

That this minister should talk about improving efficiency when the Provincial Auditor's report that came

out yesterday talks about three areas of great inefficiency in this particular ministry that I suppose everybody can relate to in the sense that all you have to do was read today's media stories to realize the tremendous concern that is out there about what's going on in this department.

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As we already heard earlier, when we deal with the backlog of cases — and we all know that in 1990, as a result of the Askov decision, over 50,000 cases were thrown out, but let's just take a look and see what's happened. The previous government tried to deal with that in 1991 and 1992. But let's look at what's happened since then. This is the Provincial Auditor's own report dealing with the efficiency with which court cases have been dealt with in Ontario. This isn't my propaganda and this isn't our party's propaganda. This comes out of the report of the Provincial Auditor. For those people watching, the Provincial Auditor is a legislative officer of this Legislative Assembly. He and the people who work for him don't work for the government, they work for all of us, the 130 members who are part of this Legislative Assembly. That's who employs him.

What does he say about the Ministry of the Attorney General when it comes to the pending criminal cases that are still before the system right now? I suggest to the people of Ontario that if you really want to read some horror stories, get a copy of this Provincial Auditor's report, because you will see, on page 29, that the number of the total criminal charges pending in the Provincial Division has increased from 190,000 in the year 1992 to 196,000 in 1993. In 1994 there were 193,000, but in 1995 it went to 211,000 outstanding cases, and in 1996 there are 224,286 cases before the criminal courts that are still outstanding.

What this really means is that over the last five years, from a government that preaches efficiency, a government that wants to improve efficiency in the department of the Attorney General, here is a stellar example of how the efficiency level of the department of the Attorney General has decreased over the last two years. Undoubtedly, the amount of money that's available to ensure that the process and the system of justice is properly administered has a lot to do with that.

Let's take a look at another document. Let's take a look at the 1997 Ontario budget and let's just see what happened to the budget for the Attorney General, who's responsible for making sure that the system of justice that we have here in Ontario is administered in an efficient and proper manner. What do we see? We see that whereas in the year 1994-95, \$1.085 billion was spent, in the year 1996-97 it was reduced to \$604 million and currently it's at a rate of \$650 million. In other words, there's been a 35% decrease in a department — the member opposite shakes his head and says it isn't so.

I would ask the people of Ontario, don't take my word for it. Go down to your local MPP's office. I'm sure they still have copies of the 1997 Ontario budget available. I'm sure all members of the House have this, regardless of party affiliation. You will see on page 64 exactly the

numbers that I'm quoting, that in effect the budget of the Attorney General has been reduced by \$400 million in a matter of two years. That's the department that deals with the administration of justice. Is it any wonder then that it shouldn't really come as any surprise that the number of criminal cases that are outstanding has increased from somewhere around 190,000 outstanding cases to over 224,000 cases currently? I think that's a shame.

Interjection.

The Acting Speaker: The member for Ottawa-Rideau, I see you this time.

Mr Gerretsen: That's a shame. That should not happen, because one of these days what could very well happen is that once again it will be necessary for many of these criminal charges that were all properly laid and investigated by our officials, by police officers, by crown attorneys and all the people who are involved in laying these charges, that once again a number of these charges will have to be thrown out. It's interesting that out of these 224,000 cases, 70,000 of them are more than eight months old, and under the Askov decision, the decision that was made in 1990, any criminal case that was around for longer than eight months was thrown out.

Mr Wettlaufer: Do you remember that?

Mr Gerretsen: I don't remember that personally. I am just reading from the report here, sir, not from my report but from the report of the Provincial Auditor for Ontario.

That's one area where certainly this minister and this ministry have not been efficient. I think if there's one thing surely that we can all agree with, it's the fact that when people are charged with a crime, the court system should deal with them as expeditiously as possible. Surely there's no one here who's going to suggest that having 225,000 cases outstanding currently with 70,000 cases being outstanding for more than eight months is satisfactory. If you do think it's satisfactory, then I would like you to stand up and say so at the appropriate time.

But that's only one area. Let's take a look at another area. Let's see here now. Yes, collection of fines. This is another great area and some members have already made reference to this a little bit earlier. It's very interesting that right now there's outstanding owing to the taxpayers of Ontario — you and I, the taxpayers of Ontario — a total of \$316 million in outstanding fines. Unbelievable. Only \$72 million of that amount is less than one year old. This is on page 36 of the auditor's report. Read it for yourself. Greater than two years, in other words, fines that have been outstanding for more than two years, over \$200 million is outstanding. And \$43 million of fines are between one to two years old.

Interjections.

Mr Gerretsen: Now they're making fun of it and saying: "What is it? Is it parking fines? Is it for fishing without a licence?" The point of the fact surely is that these are fines and we either enforce the law and collect the fines or let's not have any laws in that area at all. If you don't think that fishing without a licence or a parking fine is a serious matter, then let's do something about it. We can debate that and do something about it. But once

we have decided collectively that certain kinds of actions by individuals should lead to fines, then surely we should collect those fines. There's \$316 million outstanding. An average approximately of \$4 million in fines go into default each month, according to the auditor general, and more than 75% of the overdue fines are more than one year old. Again, to my way of thinking, it shows incompetence. This is unacceptable and something ought to be done about it by the ministry and the minister involved.

Now let's take a look at another area. These are the enforcement measures. Let me just read this one paragraph to you. This is on page 38 of the auditor's report. It states:

"As of March 31, 1997, overdue fines for offences committed under the Highway Traffic Act" — so these are mainly speeding offences in most situations — "totalled approximately \$139.9 million. For \$82.6 million of that amount, the ministry had driver's licence information on the individuals' account numbers. We examined those accounts with driver's licence information and found that: 15,800 individuals each had \$1,000 or more in overdue fines, including 116 individuals with more than \$10,000; and 16,000 individuals each had unpaid fines for five or more offences."

We've got the information on these people, we've got their numbers as it were, and why aren't we collecting it?

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There are certain things that we can do in order to collect that money. Let's see what the Provincial Auditor has to say about that. He goes on to say:

"The payment notices from the ministry warn that, in addition to licence suspension, failure to pay fines can result in other measures, such as the ministry informing the credit bureau of the debt, requiring banks to deduct the money owing from the person's bank account or registering a lien against the person's real property."

In other words, if money is owing to you, that's how you collect it. You garnishee the bank account or you put a lien against their property, and eventually you're going to get paid. You would think the ministry would do that, wouldn't you? You would think the ministry, in order to collect \$139 million that's owing to you and me as taxpayers in Ontario, would do that.

But look at the next line that the auditor states in his report: "We noted that none of these measures had been initiated by the ministry."

Mr Gary L. Leadston (Kitchener-Wilmot): Mr Speaker, on a point of order: We're listening rather attentively to the honourable member but we're having difficulty following when he's making reference to lines. Is it possible that —

The Acting Speaker: Take your seat. I totally agree with you. I've been more than patient. Bill 61 talks about the Loan and Trust Corporations Act, it talks about the victim's right to proceed, but you've only talked about nothing at all. Honestly. So I'll have to correct you if you go back again to the same debate.

Mr Gerretsen: Thank you very much, Mr Speaker. What I have been talking about is precisely what the title of this bill claims that Bill 61 is all about, which is "to

improve efficiency in the Ministry of the Attorney General." I have pointed out three areas where not my propaganda machine is saying the ministry hasn't been doing its job but the Provincial Auditor is saying that the backlog of criminal cases is still there, the fines are still uncollected.

Under the Highway Traffic Act we have these means available to the ministry to garnishee bank accounts, to lien a person's real property in order to collect on these fines, and they're not doing that. To me, that is not running an efficient department. This ministry would like to be efficient and we congratulate them on wanting to be efficient, but by merely putting it in an act, by merely passing an act like Bill 61, you are not going to create greater efficiency. You have to have resources in order to ensure that those penalties you impose on certain situations are going to be enforced, and they haven't been. That is a real shame.

There are certain aspects of this act that we like. For example, the Construction Lien Act is going to be amended, which will restore lien rights to architects and their employees. I think we've all heard from architects and their employees that they are all in favour of this. I don't know why they were ever excluded in the first place, but that's a good thing. It's about time we did that. I wonder why this wasn't done before. Maybe there was an anti-architect lobby at work at one time with former governments, I'm not sure, but it makes eminent sense to me that architects ought to be protected in the same way as other people who do work on a particular project. It's a soft service, I suppose, in that they're basically involved in plans and maybe in the supervision of a particular work. I suppose the old argument could be made that they're not actually adding value in the sense of either putting materials or workmanship into a project, but anyway, that's been corrected now in this act and we certainly agree with that.

I certainly agree with what the member for London Centre said earlier about the public guardian and trustee. Quite often people have some strange ideas that if the public trustee or the public guardian got involved, their estate was going to be taken away and the government was going to abscond with their money. I think a lot of those rules and regulations that were sometimes quite needlessly there are going to be corrected. It's about time that was done. I think it will certainly give the people who will be dealing with these officers a much better sense of what's really going on and they won't be as frightened as many of them quite frankly were in the olden days.

Let me just say once again that here we have a ministry that believes in efficiency, wants us to pass a red tape bill, and basically the plea from this side of the House is, why don't you start by doing the work within your own department? If you can't do it, it may just be that there have simply been too many resources taken away from you. In a ministry that basically deals with the enforcement of laws to make sure that the administration of justice in Ontario is carried on in a fair and equitable manner, it's very, very difficult to understand how they

can do that with 40% less of a budget than they had two years ago.

So I say to them, let's collect those outstanding fines. That's money that's owing to you and me. Let's get rid of the backlog of those cases before they're ruled out of order on some constitutional basis. Let's enforce the fines that are owed under the Highway Traffic Act by some of the means that the Attorney General has currently. If somebody owes a fine and they've got a bank account and they don't pay willingly, garnishee that bank account, put a lien against their property, because then at least sooner or later the people of Ontario will get the money they are rightfully entitled to.

That money then can perhaps be put against the public debt of this province, which we all know is rising during the term of this government, from \$100 billion, according to the government's own figures in your budget papers, to \$120 billion. Most of my friends who are conservatively minded still cannot understand how a government can possibly give people a tax cut when you're still running a deficit every year and you're still increasing the public debt of this province by \$20 billion. For a government that prides itself on business to allow the debt of this province to increase by \$20 billion over the next five years —

Mr Grandmaitre: On borrowed money.

Mr Gerretsen: — on borrowed money is totally not understandable. I thank you for your kind consideration, Mr Speaker.

The Acting Speaker: Questions or comments?

Mr Christopherson: I appreciate the opportunity to comment on the remarks of the member for Kingston and The Islands. As always, he's provided us with a thoughtful speech this evening, although I have to say I found it interesting that he began early on by making reference to the Askov decision, given the fact that —

Mr Baird: Who was the government then, David?

Mr Christopherson: I was just going to come to that, to the member for Nepean. The government that was in power at the time actually was the Liberals. That was in September 1990. The Askov decision was in that month, reflecting the mismanagement of the justice system for the previous years. We didn't take power until October 1. Whereas the current government's first crisis was Ipperwash, with the resulting death of Dudley George — we know how well they managed that issue — our first crisis was to step in and deal with the justice system and the court system which were in absolute chaos. People will know that there were 224,000 criminal cases that were at stake, and 50,000 cases were thrown out because they languished in the court system that was not being adequately administered by the Liberal Attorney General of the day. So I find it strange that he would use that as his opening comment.

However, I want to end my remarks by agreeing with him very, very strongly when he points to the Provincial Auditor's report and talks about the fact that for the party that's in government today, which prides itself on being such businesslike people, to be found to be, as the auditor

has said, "frequently weak or deficient" in terms of your performance standards says a lot about reality.

Mr Martiniuk: The presumption of the member for Kingston and The Islands to presume to give advice on the Askov case I find astonishing. Your government and you are responsible. After repeated warnings, which you ignored, from the Supreme Court of Canada, it resulted in 50,000 criminals in this province walking. There were murderers, and you are responsible. There were child molesters, and you were responsible. How you can sit there, it's astonishing. We are doing something about the problem. Your government acted like an ostrich: You put your head in the sand and we all suffered.

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As part of our plan, we started a \$2-million blitz to initiate in our backlogged courts. The blitz was a combined effort of judges, police, defence attorneys and crown attorneys. To date the backlog is down 16%, a drop of 8,000 cases.

The second part of the plan: We formed the Criminal Justice Review Committee to find long-term solutions to the backlog problem. We have assembled the best and the brightest of Ontario's legal community, including the Chief Justice and the chief judge, to solve this problem once and for all. We look forward to receiving the committee's recommendations.

Ontario is investing more in the justice system than any other government in Canada. There are more crown attorneys prosecuting criminals than ever before. We are solving the problem.

Mr Cullen: I'd like to thank the member for Kingston and The Islands for bringing up the issues that should be contained in this bill which is, as the title says, "to improve efficiency in the Ministry of the Attorney General." I am very much interested in the comments that came from the member for Cambridge, but despite his apologist front that he puts forward to the public, the fact remains that when Judge Askov ruled in 1990, he dealt with some 50,000 cases; what we have today is some 70,000 cases. Indeed from 1992, when the number of cases that were on the docket for eight months or more, which Judge Askov said was a violation of people's constitutional rights under the charter, were only 16% of all the cases that were in the system at the time of Ontario, today it is double. It has gone from 16% in 1992 to 32% today. So for all the finger-pointing you want to do to the government of the day back in 1990, from 1992, despite all the earlier comments that have been presented to you by the Provincial Auditor, the administration of justice in this province has gone backwards.

Why has it gone backwards? It's quite clear: because the government has gone too far, too fast in laying off qualified staff, needed staff to deal with the very examples that the member for Cambridge talked about — the child molesters, the rapists, the murderers, the people who break into your homes — all those who break those laws and are in our system.

It is a constitutional right, as declared in 1990, that people in Ontario deserve speedy service by our justice

system. To hear now that the government is going to be dealing with blitzes — blitzes aren't the answer. The whole issue has been before you all this time. You can't suck and blow at the same time. You can't cut staff and then turn around and say, "We're dealing with it." I'm sorry, gentlemen across the way —

The Acting Speaker: Thank you. Further questions or comments?

Mr Bud Wildman (Algoma): I just wanted to congratulate the member for Kingston and The Islands. I must say that I agree with the member for Hamilton Centre. At the beginning of his remarks it was a little hard to take, but he has a very important point with regard to the current situation that is a very difficult one. We all understand, I believe, in this House that justice delayed is justice denied. We must ensure that cases are dealt with expeditiously within a reasonable amount of time to ensure the rights of the accused are protected, but also to ensure that the rights of the victims are dealt with properly. I think we have a serious problem and I congratulate the member for Kingston and The Islands for raising it.

I must say, though, that I'm disappointed in the intervention of questions and comments by the member for Cambridge, for whom I have the greatest respect. To suggest somehow, as I think he may have, that the member for Kingston and The Islands and his party were responsible for allowing child molesters to get off is not acceptable. That's not what we're about here. All of us recognize the importance of protecting children, of protecting the family and ensuring that those who would commit heinous crimes are properly dealt with.

I agree with my friend from Ottawa West that we have a crisis before us that has been identified by the Provincial Auditor. There are many reasons for cases to be a long time in arrears, but the government must deal with it. The government can't simply look at this as a way of saving money. We must ensure justice is done.

The Acting Speaker: The member for Kingston and The Islands, you have two minutes.

Mr Gerretsen: I always find it very fascinating that members get blamed for things that other governments may have done well before they came here. I would challenge anyone, or all of you, to review the Hansard and to see exactly what I said about Askov. I just basically gave a factual statement that is contained in the Auditor General's report that as a result of the Askov decision in 1990 — I didn't blame the NDP government. I didn't blame the Liberal government. I don't care what happened then. Whatever happened was wrong. Let's make sure it doesn't happen again.

What these statistics clearly indicate — and I think the member for Hamilton Centre said it — is that at that point in time there were 224,000, I think he stated, outstanding cases. Lo and behold, how many cases are there outstanding right now, in 1996, according to the Provincial Auditor? There are 224,000 cases outstanding, of which 70,000 go beyond the eight months that Askov talked about. The point I'm simply trying to make is that, as the

Auditor General clearly points out, we're heading in the wrong direction.

The backlog is increasing again, and particularly with those cases that have been outstanding for a long period of time, those that are eight months or more. Since 1992, they have increased from 37,000 to almost 71,000. What's been happening over the last four years is that the number of cases that are outstanding for more than eight months has almost doubled. That is totally unacceptable.

Yes, I want you to do something about it. If you do something positive about it, I'll even congratulate you here, because it's in the interests of all of us to do something about this kind of situation that the Auditor General talks about, irrespective of political parties. Let the Attorney General do something about it.

The Acting Speaker: I'd like to make a little recapitulation of just what happened a minute ago. I heard a point of order that the member for Kingston and The Islands was not talking about Bill 61. I reminded the member for Kingston and The Islands to refer to Bill 61. I haven't heard one question or comment referring to Bill 61, not one. I hope I have made my point very clear. Further debate?

Mr Christopherson: I appreciate the opportunity to join in the debate on Bill 61. I want to begin by referencing the explanatory note found on the first page of Bill 61 where it states, "The general purposes of the amendments are to simplify government processes, improve efficiency and make corrections." My comments will reflect the proposed purposes that are outlined here.

To do that I would also, as others have done this evening, like to make reference to the Provincial Auditor's report that has just been tabled in the last day or so. For this bill to talk to "government processes, improve efficiency" is to suggest that the sole purpose of everything they do in Bill 61 and in other areas where they talk about efficiency is to do just that, such a nice, warm, simple little thing: "We want to make things run better and we want to make things run more efficiently." Sometimes we think their sole purpose is to make the trains run on time.

The auditor's report, on the first page, to me is a crucial statement about this government.

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As I mentioned in one of my two-minute responses earlier, this government likes to put itself forward as the only real choice among the parties in Ontario that can run government like a business. First of all, I disagree with the concept that government is like a business. You can do some things in a businesslike fashion, but this is not a business. I disagree with that and would love to debate that some time with one of the members of the government.

But they do suggest that because most of them have a business background — that's not to say they're the only ones in the House, but the greater percentage of them have business backgrounds, which is why of course they don't worry so much about public services, because they have the private means and their friends have the private means

to replace public services like health care, like education, with the private system because they've got the do-re-mi to go out and buy it.

It's the poor working stiff and their families in this province who need an effective public health care system and public education system. The government likes to put that forward, that they are the one who can do things most efficiently and in the most businesslike fashion, and unfortunately there are a lot of people who buy that.

It's interesting. What does Mr Peters say in the fourth paragraph of the first page? I quote: "Successful overall service management by ministries requires effective accountability to provide assurance of prudent expenditure of public funds and compliance with ministry expectations in carrying out program requirements."

I'm reading this of course because, as I mentioned in my opening remarks, the explanatory note of Bill 61 talks about government processes and improving efficiency. Therefore, Speaker, because I see you indicating you'd like me to stay on Bill 61, that's why I began that way. I do believe that talking about government processes and accountability is very germane to what Bill 61 is supposedly all about, as they've printed in their own law.

To go further under the auditor's report, that same paragraph goes on to say, "However, and this is in my view the most significant issue in my 1997 annual report, we found that ministries' practices for ensuring that billions of dollars are spent prudently and in compliance with ministry performance and service level expectations were" — get ready for it — "frequently weak or deficient."

The auditor says that this is the most significant issue in his entire report — these are just his remarks — that the government in compliance with ministry performance and service level expectations was frequently weak or deficient. In my mind it puts the lie to the argument this government always puts to the public, that is, they're the only ones who can run the business of the province in a businesslike fashion.

Mr Guzzo: Bob Rae did it. Buffaloed.

The Acting Speaker: The member for Ottawa-Rideau.

Mr Christopherson: Nonsense. It's a myth, an absolute myth. What else is a myth is the argument that Bill 61 and all its related cousins, under the rubric of cutting red tape, are merely to make things more efficient.

Earlier on I listened to the comments of the member for Algoma-Manitoulin, and in one of his two-minute responses, just as part of his comments, he said, "Everyone is in favour of eliminating red tape." From the Tory backbenches I heard, and I wrote it down, "No, they're not." I want to agree with the member for Algoma-Manitoulin. The fact of the matter is that of course everyone wants to eliminate red tape that is unnecessary or perhaps outdated or duplicates procedures. If that were the exercise that this government is going through, there wouldn't be the kind of attention that we're paying to all their so-called red tape bills. But that's not what's going on.

We're even thinking of supporting this ourselves, depending on how the debate goes, because we do believe

that if there are inefficiencies, duplication and outdated regulations they should be removed, but that's not the sole purpose. In fact we in the NDP would argue that this is a front, a front to do a whole lot of other things that have nothing to do with the public good, but have everything to do with meeting the needs of your hard, mean-spirited, right-wing ideology.

For instance, I can recall when the report of the red tape commission came out that one of the things that was being recommended under the guise of red tape was increasing the work week. A government that has allowed scabs back into Ontario, that has attacked injured workers, that has taken away successor rights from OPSEU members, that has attacked health and safety regulations, a government that has done all those things is not going to be believed that the issue of extending the legal work week in Ontario is merely a red-tape-cutting exercise.

That's not what's going on here. This is about getting rid of regulations that in many cases were earned through sacrifice and hard work and lobbying and sometimes as the result of inquiries into deaths that happened in our province or attacks on our environment or consumer rights that have been found in court or through injuries to people. That's where a lot of those regulations came from and they're the ones that you're cutting.

You're doing it because you see them not as legitimate protection for the citizens of this province, but as an impediment to your corporate pals squeezing as much profit as they can, and whoever gets hurt be damned. That's what's going on here. That's what Bill 61 is a part of. You've cut — it's either up to or over — 50% of the environmental protection regulations in this province.

Mr James J. Bradley (St Catharines): Over 50%.

Mr Christopherson: I'm advised by the former environment minister that it's over 50%.

Interjection.

The Acting Speaker: Member for Durham East.

Mr Christopherson: I would accept the argument that there are probably some of those regulations that could be eliminated based on the argument that, yes, there are sometimes duplications and, yes, there are sometimes outdated regulations that no longer are relevant to current activities in the province and there are probably some of those that fit that category.

But you'll never convince me or anyone else who knows anything about environmental protection — and, believe me, when you come from the city of Hamilton, where we had the Plastimet fire, and we see this government continually refusing to hold a public inquiry, you soon understand the importance of environmental protection — you'll never convince any of us that a lot of those cuts are anything but eating away at the rights of protecting our environment to take care of your corporate pals.

The Acting Speaker: Bill 61, please.

Mr Christopherson: Bill 61, Speaker, is very much a part of that. Bill 61 was part of a group of red tape bills that were introduced as such, and I am arguing that they are not what they purport to be. I have already talked

about what is in Bill 61 to the extent that we are considering supporting it, but I think I have a right to point out on behalf of the people of Hamilton that when it comes to the red-tape-cutting exercise, it's rights and protections that are being cut just as much as, and in many cases more than, any kind of inefficiencies in the system. I believe, Mr Speaker, with great respect, that's a legitimate point of view that I'm entitled to make on behalf of my constituents.

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Further to that, it's interesting that one of the current debates raging right now in terms of regulations and red tape and the whole issue about what is unnecessary red tape versus what is legitimate protection — this government continues to redefine the issue, and they're very good at it. I give them their due; they're very good at it.

If you take a look at education, how does what I'm proposing here work there? Well, they say, "We're not cutting anything that affects" — and then they throw it in — "the classroom." Everyone in this province knows you can't eliminate the transportation issues, the custodial costs, the teaching assistants, the maintenance of computers, and somehow say they have nothing to do with classrooms. Of course they do. Where's the common sense in that kind of argument? I would suggest that the same thing has happened with red tape cutting: they redefined the question to suit their answer.

I would argue that we've got the same thing going on — and I'll only reference it very briefly — with the multilateral agreement on investments that's currently a debate raging across this country finally, and it affects Ontarians arguably more than anyone else, because we are 46% of the economy of this country. That agreement is all about, guess what? Tony Clarke, president of the Ottawa-based Polaris Institute, says that the MAI, the multilateral agreement on investments, "is designed to establish a whole new set of global rules for investment that will give transnational corporations the unrestricted right to buy, sell and move their operations whenever and wherever they want around the world, completely free of government intervention or regulation."

Their whole argument is: Get government off the backs of people, and if you get government off the backs of people, all these wonderful market forces are going to magically and wonderfully and almost biblically take care of all our problems. Yet here we see a federal government — and I have no doubt in my mind supported by this government — wanting a whole new set of red tape, but it's red tape their corporate friends want. To assist that, they are eliminating as much regulation as they can in the province of Ontario, not to help the people of Ontario, but to allow their friends free rein. That's who they want to get the government off the backs of.

Getting out of a decent, effective, accessible public health care system is not getting the government off the backs of people. Gutting our public education system the way you're doing is not getting government off the backs of people. What it's doing is helping to get government out of the way for your friends, and by that I mean they get

their taxes lowered while my constituents get a cup of coffee or two a month in terms of their benefit from the 30% tax cut. Your friends are getting the overwhelming lion's share of the billions of dollars that are coming out of the health care system, coming out of the education system, to pay for that tax cut. That's what getting government off the backs of people means to this government.

Like Bill 61 and all the other bills that are attached to it, they want to spin it so that people believe that anything to do with government and public sector is obviously so inefficient and so full of unnecessary red tape and so much of a bureaucracy — I see some of the backbenchers nodding their heads up and down like the little doggie in the back of the car — that it's okay for them to cut anything. Up until recently, people were buying that argument, but I think we've seen a significant change when we got to Bill 160, because of course a group of very courageous people in this province took you on in a way that you couldn't beat.

You couldn't beat them in here, you couldn't beat them in the courts, and you couldn't beat them on the streets. Why? Because those 126,000 teachers called you on what you are doing and took dramatic action to point it out, and when the facts were out there, the vast majority of parents and communities supported those teachers.

I predict that by the time we ramp up to the next election, there will be no doubt in people's minds. When they think about this government wanting to cut red tape, they will realize that what that means in large part is rights and protections for communities and individuals and families which they purport to care about so much, like they are the only ones. That's really what's going on. When they hear the argument, "We'll get government off your back," they'll realize that what that means is a declining public health care system, a declining and deteriorating public education system, a weakened municipal government, an all but non-existent school board governance. When they finally hear again, as I'm sure they will, the mantra that, "We will lower taxes, and that will give people more discretionary income, and that will generate the economy," they will realize that the people who are getting the big bucks, and I mean the tens and the hundreds of thousands of dollars in that tax cut, don't spend it every day in our communities.

Interjections.

The Acting Speaker: Member for Lambton, member for Perth, come to order.

Mr Christopherson: They invest it offshore, they add it to their portfolios, they take a little longer exotic vacation, buy a more luxurious car a little sooner, but I'll tell you what they don't do. Do you want to talk to small business about this? Go ahead, because the reality is that what they don't do is spend money in communities.

By way of that, I point to the 22% that you cut from the poorest of the poor. In pure economic terms — I won't even try to reach your heart any more; I don't think it exists — there are more and more small corner stores that are barely surviving because the people who are in the

poorest categories of our economy spend every penny they've got to live. It goes right into the local economy, and that does stimulate economic activity.

So when you go out there and argue that you are going to cut taxes some more, the magic of that message will be gone because people will know that this is not an agenda that works for the citizens of Ontario; it works against the citizens of Ontario. Bill 61 is just part of an overall front, under the guise of cutting red tape, to go after protection and rights that Ontarians have earned for decades.

The Acting Speaker: Questions or comments?

Mr John O'Toole (Durham East): I am actually overcome by grief because the member for Hamilton Centre has refused again to talk about the subject. Clearly Bill 61 is an empowerment act. In fact, it's part of the regulatory framework that this government — I'm going to break, if I may. I must take great exception to the member's criticism of Mr Frank Sheehan, the chairman of the Red Tape Review Commission. The member for Lincoln has worked tirelessly to remove over 200 regulations that are barriers to growth, jobs, hope and opportunity in this province.

The caucus and members have worked — and really the regulations are a result of the NDP centralized power and decision-making, the kind of Kremlin process, the socialist kind of phenomenon, along with the Liberal government in the last 10 years, creating barriers to hope and opportunity. The evidence is very clear. There was an \$11-billion deficit. We were spending \$1 million an hour. People forget that.

2120

Ask Floyd Laughren, the great member for Nickel Belt. They were spending our children's future. Clearly this bill allows the Ministry of the Attorney General to modernize some of the hearings, oral and written, using electronic means, streamlining the way we do business in the modern world.

Of course, if you can't advance into the modern world, you should join the NDP group, because technically they want things to be centralized, the kind of Kremlin, eastern bloc — shameful.

Interjections.

Mr O'Toole: I'm appalled that the member has deliberately refused to talk about Bill 61. In fact I find it contemptuous really.

The Acting Speaker: Order. I've got to smile with this type of behaviour, honestly. I know it's late in the evening, but try to just simmer it down, please. Further questions or comments?

Mr Bradley: I'm prepared to simmer this down, as you've asked, because I am concerned that the member for Hamilton Centre did not have the time in his speech to address what Conrad Black is perpetrating on this province.

Tonight we paid tribute in the press gallery to the following people who are leaving: Terry Pedwell, who is going to Ottawa for coverage there; Wilson Lee, who is going to CITY-TV, we're losing from TVO; Jim Coyle has already departed to the Toronto Star. The Southam

bureau is being decimated. You're allowed to say that now, cut into tens. It's being decimated, destroyed by Conrad Black and his henchman Radler.

We don't even have now a reporter from the Ottawa Citizen, the second-largest newspaper in Canada. All we have now are John Baird's contemporaries, his friends. The Reformers, the former researchers for the Reform Party and the Mike Harris Conservative Party, are now writing the editorials. I hear people quoting them as though they're independent sources. I'm sure that Mr Baird will be sending this Hansard to them for further consideration.

We're sorry to see Greg Crone go. He's gone from the decimated office of Southam to the Financial Post. Supriya Kant is gone as a researcher. She did an excellent job over the years. Dan Nolan is heading back to the Hamilton Spectator and won't be allowed to be around here. Carolyn Abraham is being sent downtown where she'll have to report from there.

The grand coalition of Mike Harris and Conrad Black and Radler are destroying the coverage —

The Acting Speaker: Thank you. Your time has expired. Further questions or comments, in relation to Bill 61, of course.

Mr Wildman: Yes, of course; actually, in relation to my friend from Hamilton Centre's remarks on Bill 61.

I would like to congratulate him on a most incisive analysis of the legislation. I must say that I was taken aback by the comments of the member for Durham East, who has quickly vacated his seat because of his embarrassment after reflecting on what he had to say. The fact is that he suggested, I think, that somehow the NDP wants to centralize and therefore he could not support the comments of the member for Hamilton Centre.

This is more than a bit of the pot calling the kettle black. This is a party that in terms of education wants to take away all local autonomy, all local control of education, all the local ability to make decisions around curriculum and financing of education and to centralize it here at Queen's Park. That's what this government wants to do. They have the gall, as the member for Durham East, to get up and say that this party is criticizing Bill 61 because it —

Interjections.

The Acting Speaker: Order.

Mr Wildman: Thank you, Speaker. I appreciate your attempt to call this place to order.

I would just say this. This government is unfortunately apparently willing to allow, in the name of cutting red tape with regard to the Attorney General, a number of cases to be lost because of the length of time it's taken to deal with them. This is most unfortunate.

The Acting Speaker: The member for Cambridge, who is the last one, by the way.

Mr Martiniuk: If we may return to Bill 61, I think it's fairly obvious that a number of the opposition members have not read it. I'd just like to deal with one particular section which I happen to think is really important.

Section 13 amends the Statutory Powers Procedure Act and sort of brings the act into the 20th century. For instance, it provides that the same proceedings will now be conducted by a combination of oral, written and electronic hearings. Pre-hearing conferences may also be held electronically. This should speed things up substantially, at a much lower cost.

Some of the new guidelines cannot be exercised until the tribunal has published its guidelines governing their use so that the public are aware of the rules before they would appear in front of a particular tribunal.

Contempt proceedings can be considered if a party fails to appear for a pre-hearing conference when ordered to do so or unnecessarily causes an electronic or oral hearing in a case scheduled for a written hearing. Also, evidence previously admitted at another hearing can be admitted into a current hearing.

I just use that as an example of the bringing of the administrative tribunal functions into the 20th century. They are now going to be using electronic means or a combination of same. That will benefit not the tribunal, not the government; it will be more efficient and will benefit those who use and rely upon tribunals in this province.

The Acting Speaker: Member for Hamilton Centre.

Mr Christopherson: I thank my colleagues in the House who took the time to respond: the member for St Catharines, who always has probably the most timely comments in this place. I think he has an electrode placed somewhere inside his earlobe that lets him know exactly what's going on in every spot of the world that's relevant to this place; my colleague from Algoma, who was very kind and generous in his remarks.

To the member for Cambridge, I found it interesting that in his comments on Bill 61 he talked about the Statutory Powers Procedure Act and their government wanting to go into the future, and that somehow it was those of us in the opposition who were stuck in the past. I would remind him that when it comes to rights and when it comes to democracy, it's you and your colleagues who are taking us back to the Dark Ages. It's you and your colleagues who have provoked justices and judges to step forward in a way they've never done before to say that you're damaging our justice system.

Look what you're doing in cutting legal aid, the whole concept of justice, of fair representation, of a law applied equally to the rich and the poor. What about scabs? That's taking us back to the Dark Ages. What about automatic certification, an issue that takes us back 50 years in labour —

Interjections.

The Acting Speaker: Minister, member for Durham East, member for Perth.

Mr Christopherson: Speaker, why do I lose my time because they heckle? It's a nice ploy. Unfortunately, I don't get a chance to go at the member for Durham East, but I know he'll give me many others.

The Acting Speaker: Is there further debate?

Mr Harnick has moved third reading of Bill 61. Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

It being 9:30 of the clock, and quite an exciting evening, the House will adjourn until 10 o'clock tomorrow morning.

The House adjourned at 2131.

ERRATUM

No.	Page	Column	Line	Should read:
251A	13279	2	53	schools. For example, there's Assiginack, Killarney, Webb-

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**Assemblée législative
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**Official Report
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**Journal
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Thursday 27 November 1997

Jeudi 27 novembre 1997

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Clerk
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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 27 November 1997

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 27 novembre 1997

*The House met at 1002.
Prayers.*

PRIVATE MEMBERS' PUBLIC BUSINESS

ONTARIO LOTTERY CORPORATION AMENDMENT ACT, 1997

LOI DE 1997 MODIFIANT LA LOI SUR LA SOCIÉTÉ DES LOTERIES DE L'ONTARIO

Mr Morin moved second reading of the following bill:

Bill 163, An Act to amend the Ontario Lottery Corporation Act / Projet de loi 163, Loi modifiant la Loi sur la Société des loteries de l'Ontario.

The Acting Speaker (Mr Bert Johnson): Mr Morin moves ballot item 107. According to the rules, the member has 10 minutes.

Mr Gilles E. Morin (Carleton East): I would like first of all to thank my colleagues the members for St Catharines and Essex South. They have done an excellent job in fighting the government on the issue of legalized gambling in Ontario.

I know we are expressing the opinion of many Ontarians concerned about a province becoming more and more dependent on gambling revenues. The bill we are debating today addresses just a small portion of a larger issue that has troubled the majority of Ontarians since the government introduced Bill 75 in June last year.

My bill, Bill 163, would ban the use of instant ticket vending machines as an outlet for the purchase of lottery tickets. The purpose of the act is essentially to eliminate part of the troubling problem of under-age gambling. It is time to consider the consequences of the use of these machines. The figures on adolescent gambling are very disturbing. By limiting their opportunities to gamble, I believe we can reverse the trend toward gambling addictions among young people.

ITVMs dispense the scratch-and-win tickets. These tickets are strongly associated with the promotion of compulsive gambling in that they provide instant gratification for players. In the hands of children they send the wrong message of easy gain for just a few bucks. Adolescents understand the rule of odds even less than adults do. They don't understand that no matter how much they win, they will always lose.

The Ontario Lottery Corp is a good corporate citizen, to be sure. We can't forget, however, that they are in the business of profit, and as such, their promotion of ITVMs represents yet another scheme to part people from their money at an unwelcome and often terrible social cost. Lottery tickets cannot be sold to anyone under the age of 18 since the passage of a bill initiated by the former Liberal member of Mississauga West, Steve Mahoney. However, anecdotal evidence exists to show that this prohibition is not working and that heavy government fines are useless because there is no meaningful enforcement.

My colleague from Essex South has evidence of a 14-year-old boy who was able to buy tickets at four establishments without being asked his age. The member for Ottawa South had his 13-year-old son asking him for money to buy a lottery ticket from an ITVM at the airport in Ottawa. Jamie casually informed his surprised dad that was not an unusual transaction among his peers.

We can debate at length the proper role of government with respect to activities associated with vice or about the moral questions raised by opening the door to the exploitation of the most vulnerable in our society. Differing opinions about government involvement in these activities expose very different philosophies where never the twain shall meet, except in this one instance.

I know that none of us want any harm done to our children. Regardless of the trouble adults can get themselves into, we all believe we have a responsibility to protect children from the dangers of unrestricted access to activities for which they are not prepared, and in that sense we share the responsibility with their parents.

I am asking you today to take that responsibility in order to do the right thing and remove ITVMs from this province. Under the OLC's instant ticket vending machine placement policy, each ITVM must be placed "where retailers and staff can see it easily at all times," presumably to make sure the machines are properly monitored.

However, the retailer reference guide for ITVM contracts states: "ITVMs can help to increase ticket sales for high-traffic retailers who simply do not have the time or resources to handle selling instant games manually. By installing an ITVM machine in a high-traffic area, in plain view of customers, retailers can be successful in selling instant lottery games with little or no staff time required." How much plainer can it possibly be that the OLC is promoting these machines precisely because they don't need to be monitored the way counter sales do?

Although Bill 75 introduced stiff penalties for retailers who sell lottery tickets to minors under 18, the enforcement of those penalties is practically non-existent. The Ontario Lottery Corp, which takes in some \$700 million in revenue on \$2 billion in sales, relies completely on local police to follow up on complaints while the Ontario government itself spends nothing on enforcement or investigation.

The Ontario Lottery Corp denies that under-age use of ITVMs is a significant problem. However, unless regular spot checks are conducted, a low level of reported incidents is meaningless. Our problem is not with penalties but with the lack of enforcement, and ITVMs make enforcement next to impossible. Due to this vacuum in enforcement, retailers have no meaningful incentive to prevent kids from purchasing tickets directly from them, something which happens all the time.

Studies from other jurisdictions have shown that the legal age limit for buying lottery tickets is nowhere being strictly enforced. It is therefore logical that retailers are even less compelled to monitor lottery ticket sales from automatic ticket vending machines. Existing studies that have looked at adolescent gambling point to some very disturbing trends.

A 1994 Ontario study found that 65% of Ontario adolescents had gambled in the previous 12 months. In its survey, it identified 37% of all adolescents as problem gamblers compared to 8.6% of the adult population. Gambling problems also increase as kids grow older. The percentage of kids with gambling problems rose from 27% among 12- to 14-year-olds to 35% of 15- to 17-year-olds and to 40% of 18- and 19-year-olds. These figures are both shocking and unacceptable.

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Adolescent gamblers use their allowances and lunch money to feed their habit. They may steal money, or borrow it and not pay it back. They are also more likely to skip school or miss work due to gambling. They lie about winning. They deceive their parents and friends. They are subject to temptations that even some adults cannot resist, and their self-esteem is damaged as a result. I find this incredibly sad. We want them to grow up strong and confident because of their positive earlier experiences, and instead, they are defeated even before they begin.

Other jurisdictions have rejected the introduction of ITVMs for the reason of their easy availability to children. It is now our turn. We have done what we could to prevent kids from having easy access to cigarettes. The previous government introduced the Tobacco Control Act in 1993 to ban the sale of cigarettes from cigarette vending machines. Let's stop sending the wrong message to kids in letting lottery tickets remain freely available to them. We have repeatedly called on the government to address this problem and they have not yet done so. It is not enough to make the right kinds of noises and then do nothing, or to hear about problems with compliance and then make half-hearted attempts to follow up.

I hope that with Bill 163 we can finally act on our opposition to the exploitation of our children for profit. Of

course, this bill will not eliminate the growing problem of adolescent gambling in all its complex dimensions. However, ITVMs impact directly on kids who are vulnerable to gambling and addictions. I think we are justified in prohibiting their use as soon as it's feasible. This bill represents a small but significant step in the right direction. I hope it will receive the support of all the members here today. I look forward to your comments.

Mr Ted Arnott (Wellington): I am very pleased to rise today to have the chance to address the private member's bill that has been brought forward by my good friend the member for Carleton East. I have had the privilege of serving with him in this Legislature since 1990 and I know very well of his distinguished record of public service in this House, I think dating back to 1987, if I'm correct.

I know that over the years the member for Carleton East has on quite a number of occasions demonstrated his concern for the most vulnerable in our society through private member's bills that he's brought forward. It is no surprise to me that he would bring forward legislation today that aims to protect our children, and I would commend him for that.

The member is not alone in his concerns about access to gaming by minors. As the parliamentary assistant to the Minister of Economic Development, Trade and Tourism, I am very pleased to have this chance to address some of the concerns about access to gaming by minors that the member has raised.

In my review of his bill, I am pleased to see that there are many points of mutual agreement between the government and the member for Carleton East. The government takes the matter of lottery sales to minors very seriously, so seriously that it brought in Bill 75 some time ago, the Alcohol, Gaming and Charity Funding Public Interest Act, the toughest legislation in the country, in order to prevent the selling of lottery tickets to minors.

Provincial law and the Ontario Lottery Corp corporate policy prohibit the sale of lottery tickets to minors. An individual found selling tickets to minors — people under 18 — can be fined up to \$50,000 and corporations up to \$250,000, a very heavy fine.

The Ontario Lottery Corp places vending machines in locations that are licensed or where machines are in direct supervision. It also removes lottery products from retailers who have sold lottery tickets to minors and, looking at their record, you can see that the corporation has done this at least 10 times since 1992.

In the spring of 1997, the Ontario Lottery Corp was asked to review all the locations where there is any doubt whatsoever about supervision. Instant ticket vending machines at that time were removed from the Ottawa airport and from laundromats across the province. The Ontario Lottery Corp recently made recommendations to the provincial government on its instant ticket vending machine program. The government has received these recommendations in the last two weeks and I'm sure the member will understand that the government needs a little more time to review these recommendations and to make decisions on them.

I think it is important to point out that it was the previous government, the New Democrats, that brought the instant ticket vending machines in when they were in government. No penalties were put in place at that time for selling to minors except for the removal of the vendor's licence to sell tickets. The government plans to direct up to \$9 million to problem gaming research, development and delivery of assistance programs, again underlining its concern about people who have problems with gambling, who are addicted to gambling.

The Liberals earmarked no funding to problem gaming. The NDP, as I understand it, allocated only \$1 million. The government will spend 60 times more on problem gaming than the Liberals in Newfoundland, 180 times more than the Liberals in New Brunswick and millions more than the Ontario Liberals did when they were in power.

Like the member for Carleton East, this government is committed to protecting our children and ensuring that minors are restricted from gaming.

It is my intention to support the member's bill in principle and I want to congratulate him again for bringing this forward today.

Mr Bruce Crozier (Essex South): I am pleased today to stand and speak in favour of Bill 163, a bill that would effectively ban instant ticket vending machines, otherwise known as ITVMs.

First of all, I would like to thank my colleague Mr Morin from Carleton East for introducing this bill, as it addresses a very important issue with regard to under-age gambling in Ontario.

Quite simply, ITVMs are machines that dispense scratch-and-win tickets. On September 9, 1997, I asked the then Minister of Economic Development, Trade and Tourism to remove ITVMs from locations across Ontario because it had been brought to my attention that under-age persons had easy access to and were purchasing scratch-and-win tickets illegally. While Minister Saunderson agreed with me that under-age gambling should be stopped, he refused my request to remove these ITVMs. Instead, he promised an investigation that's been referred to by my colleague from Wellington. Subsequently, nothing has been done to stop minors from purchasing lottery tickets like these that I have in my hand.

Fellow members, this morning we will have the chance to send a strong message that we in the Legislature, regardless of party affiliation, are against under-age gambling and are willing to take important steps to prevent it from occurring.

At present, the only requirement for retailers to have these ITVMs in their establishment is that there is a line of sight. This means that someone in the store can watch and see the machines at all times so that minors don't use them. But it begs the question, if this were the true intent, to prevent minors from buying lottery tickets, then why doesn't the retailer sell them in person? The answer I received was that ITVMs are to make the purchase of these tickets more convenient because employees were often too busy. Too busy to watch the ITVMs at all times

to prevent under-age purchases? I think the answer to that question is yes.

Quite simply, the current situation is unacceptable. There is absolutely no guarantee that minors will not use these machines and, as I pointed out, I have proof of it right here, where a 14-year-old was able to buy these tickets with no questions asked. I might point out that it's not illegal for children to buy the tickets; it's illegal for them to be sold to them. While all lottery ticket sales to minors cannot be totally prevented, steps and measures can be taken, such as banning ITVMs.

These ITVMs remove the control aspect that I think is so very important. Would we sell beer from vending machines in a retail establishment, even if it were in the line of sight of an adult at all times? The answer is no, because there isn't anything preventing a 12-year-old from using the machine, and secondly, there are no controls to prevent this from happening. These are the same reasons why my colleague from Carleton alluded to the fact that cigarettes are no longer sold from vending machines in Ontario.

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While minimum funds are spent to prevent gambling in Ontario, removing these ITVMs will be a step in the right direction. Seven hundred instant ticket vending machines are found in laundromats, bowling alleys and donut shops, places where young people frequent and have easy access to the machines. We all share the responsibility and have both the obligation and the moral duty to remove these machines to protect our youth.

By not having an adequate control system, we are saying to minors, "No, it's wrong to buy lottery tickets and gamble, but here is an easy way to do it." It sends a mixed message and a wrong one at that. Currently none of the other lottery jurisdictions in Canada, with the exception of Loto-Québec, is using ITVMs, and for the same reason — why Mr Morin has presented this bill this morning — because ITVMs, instant ticket vending machines, allow easy access to minors and therefore must be stopped.

I'm sure all members will agree the sale of tickets to minors is worth the cost of inconveniencing a small percentage of people who want to buy these scratch-and-win tickets. This is an issue that is straightforward and very clear-cut. If one is truly against under-age gambling, then steps must be taken to prevent it. Today we have an excellent opportunity to do so. I hope each of the members in this Legislature will make your voice heard on this issue and vote for Bill 163.

If you're really opposed to children having access to gambling, then I think it's very simple that this bill be supported, that it be sent to committee, that it be debated. Reviewing the sales, as my colleague from Wellington has suggested, has gone on long enough. It was earlier this year that we asked the minister to do that. They merely sent a message out to the retailers to be more vigilant, and that's been proven to not be successful enough. We have to take a positive step in this direction.

We don't sell cigarettes from vending machines, as has been pointed out, because they were too accessible. Then what we see is, as my colleague from Carlton has said,

that the retailer reference guide for ITVM contract sales says that it can help increase ticket sales for high traffic retailers who simply do not have the time or resources to handle selling instant games manually. That very simply points out the problem. If the retailers are too busy and don't have the resources to sell them manually, how then can they possibly have the resources to monitor the machines that are in their line of sight? The reference guide goes on to say that by installing an ITVM machine in a high traffic area, in plain view of customers, retailers can be successful in selling instant lottery games with little or no staff time required. What we are saying is that, unfortunately, they can also be successful in selling tickets to kids. I ask that all legislators this morning support this bill. Thank you.

Mr Wayne Lessard (Windsor-Riverside): I want to commend the member for Carleton East for bringing this bill forward to prohibit the sale of lottery tickets through instant ticket vending machines. The member has been consistent with respect to his approach respecting young people and the opportunities they have to avail themselves of things that perhaps they shouldn't be. I commend him for that as well.

This is one of those experiments, the introduction of instant lottery ticket vending machines. There was an opportunity to try it, see how it worked. It seemed as though it may have been a good idea at the time to try to make the sale of these tickets more convenient in areas where it was felt that the supervision of that activity was going to be enough to prevent the sales to young people. But obviously, based on the anecdotal evidence we've heard and the evidence we've heard from the member for Essex South, the supervision isn't close enough.

It's probably easy for all of us to understand that young people wouldn't have any problem buying lottery tickets. It was a Liberal member several years ago who, I recall, introduced a private member's bill to prohibit the sale of lottery tickets to minors, and that was a bill that was supported by all parties in the House at the time and has become the law in Ontario. But we know that just passing laws isn't going to be enough to affect the behaviour of persons who seek to buy lottery tickets even though they're under age.

I recall as well the debates we had within our caucus and in the Legislature with respect to the banning of the sale of cigarettes in vending machines. I know that was a controversial issue at the time. It affected the rights of property owners, the persons who owned those vending machines and the locations they were placed in. However, all of us agreed that we should try to do what we could to reduce the incidence of smoking by young people. That was one of the simple ways we were able to do that. That's something that governments, both provincially and federally, saw fit to devote resources to, to ensure that we try to reduce the incidence of young people smoking.

My wife is an environmental health inspector with the Essex-Windsor district health unit. She refers to herself on occasion as one of the tobacco cops. She's a provincial offences officer, does undercover surveillance work,

monitors vending locations and store owners in areas around schools on occasion and actively is involved in the enforcement of the law that prohibits young people from purchasing tobacco products if they are minors and prohibits vendors from selling to young people who are minors. She has been very effective in that work, and they've charged numerous vendors and young people and persons who have supplied tobacco to young people as part of her efforts.

If we recognize that that's an important allocation of resources because it is in the interests of the health of our young people, I would hope it's a program that this government, as part of their downloading exercise, would ensure continues to be undertaken by local health units in our province. If that's something we recognize is important for the health of our young people, I would hope we also recognize the importance of trying to reduce the incidence of young people purchasing lottery tickets as well.

I recall as well the debate we had with respect to Bill 8, which was permitting casino gambling in Ontario. That was a bill where the age restrictions for persons to go into casinos in Ontario and gamble was the subject of some debate at the time. It was agreed then that casino gambling should be restricted to persons who are at least 19 years of age and over. I think all of us in this House agree on the importance of having a law that takes that approach.

Of course, we have a casino in the city of Windsor, and it has a very effective security and surveillance system. They really have the resources available to enforce that restriction, with respect to prohibiting young people from gambling. I haven't heard this morning of members being aware of under-age persons who have been at a casino and have been able to gamble.

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It's that level of security and surveillance that's necessary, obviously, to prevent young people from being able to gamble contrary to the law. It's also obvious that that's not something that is available, or it's not working if it is available, with respect to these lottery ticket machines. It's clear that this is the sort of activity that needs to take place only in a closely supervised environment. That environment doesn't seem to be present in order to prohibit young people from buying lottery tickets. I agree with and will support this initiative to try and remove instant lottery vending terminals from Ontario.

However, I want to mention the importance of having gambling opportunities in closely monitored and supervised areas like casinos. If we're going to have gambling opportunities, let's have them in casinos. Further to that, I think we should do what we can to make sure we have the availability of craps in the Windsor casino. I know that's been mentioned here on occasion, and it will be important in the Windsor area to ensure that we can compete with the three casinos that have been announced for the city of Detroit in the near future.

There was an article in the Windsor Star that said that the former minister, Bill Saunderson, had written a letter to the federal minister asking that the Criminal Code be

amended to permit craps. It said that letter was written on September 11. However, an article in the Windsor Star on November 26, just yesterday, said that the new minister, Palladini, was in Windsor on Tuesday and said that he expects the letter to be sent in the next couple of days making that request. I don't know why the letter hasn't been sent requesting that craps be permitted in Canada and in the Windsor casino, but I would hope that the members present here would urge Minister Palladini to make sure the letter gets sent. The postal strike isn't an excuse. If they'd like me to deliver it myself, I'll be more than happy to do that.

Mr Wayne Wettlaufer (Kitchener): I'm pleased to speak on this bill. In introducing this, I wonder if the member for Carleton East is thoroughly aware of the implications of his own party's position on gambling, however. As you're aware, Mr Speaker, our government has taken the position that we are going to ban the roving Monte Carlo casinos that blight our society, and of course our position is being opposed by the Liberal Party.

The Monte Carlo casinos are supposed to be in the interests of the charities, but the charities are telling us daily that they are not getting the proceeds that they believe they should be getting. They know the number of people who are coming to the casinos, they know how much is being gambled, they know how much they're supposed to be receiving from the operators of the Monte Carlo casinos, but they're not receiving those funds.

It reminds me a little bit of Prohibition, Mr Speaker, when there were blind pigs being operated. I know you're aware of what a blind pig is, but for the benefit of those who don't know what a blind pig is, they were these little clubs, and behind the one-way glass the operator of the club could tell whether the police were coming in. If the police came into the premises, all the booze was put away. But of course when the police weren't there, it was operating fully and the sale of booze was wide open. You couldn't control the illegal sale of booze during Prohibition, just like now you cannot control the illegal VLTs or the illegal gaming proceeds from the Monte Carlo casinos.

We want to bring in legislation to put this under control. The Liberals oppose it, and now they're introducing a bill to bring in prohibition on instant ticket vending machines — not consistent at all. But that shouldn't surprise you, Mr Speaker, and it shouldn't surprise anybody else in this House, because that party has a history of flip-flopping. That party flip-flopped through the campaign. That party flip-flopped on a recent illegal strike by teachers. The leader of their party in 1992 —

Mr Gilles Bisson (Cochrane South): Who was that?

Mr Wettlaufer: Who was it? I say to the member for Cochrane South, that was Dalton McGuinty, the leader of the Liberal Party. In 1992 he brought in a bill banning the right to strike for teachers after October 31. But who was out on those picket lines with the teachers, encouraging them to continue to strike? The same Dalton McGuinty, the same leader of the Liberal Party — flip-flop again. They just carry on this way.

I want to say that I support the efforts to control illegal gambling. Our government supports them. We are planning on putting \$9 million into gaming research and development of programs to control gambling addiction. I want to point out that the Liberals never earmarked any funds for that when they were in power. Another flip-flop? Yes, probably.

Mr James J. Bradley (St Catharines): I think members know of my great concern about the escalation across this country and North America of gambling opportunities and that those are encouraged by governments. The most insidious and the latest, I guess you could say, although they are not as recent as many would like to think, are the video lottery terminals around the province. They are electronic machines which are what you and I might call instant automatic slot machines. The reason they are so alluring is that they are like a computer game. They appear to be modern, and there's an instant hit from video lottery terminals. I see all these gambling opportunities being expanded as presenting some genuine social problems for our society.

I know that governments all over are greedy for money and they think this is an easy of getting money. Ontario is not the only jurisdiction where this is the case. We have many jurisdictions and we have many people, from many different political parties, across the country and in the United States who are in favour of escalating gambling opportunities.

But I think we have to remember that it preys upon the most vulnerable people in our society, often the desperate people in our society, who are addicted to gambling or who believe that with the background they have — perhaps they haven't had the same opportunity for a good education or perhaps they're not well connected within their community so they have easy access to jobs. Sometimes those people, in desperation, will turn to gambling as that opportunity to enhance themselves financially, to help themselves out financially. I am very concerned when I see any of these escalations taking place.

We have established opportunities now. We're not rolling back the clock on those. We have a casino which was established in Windsor, one in Niagara Falls and one in Rama. We have three of those in existence at the present time. I don't think this Legislature is looking at heading out to close all those down, despite some difficulties out there. My friend from Niagara Falls and I would know that almost daily now we have stories of people abandoning their children and heading into the casino. There are some problems, but we are not looking at this time at turning back the clock on those. What we're looking at is an escalation of opportunity for gambling purposes.

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My fear is that with the video lottery terminals or the electronic slot machines, for instance, if we follow the present course in this province — and I am sure there are members in all parties who are concerned about this — we will end up with them in every neighbourhood. The reason we'll end up with them in every neighbourhood is because there are bars and restaurants in many of the neighbour-

hoods in this province, and people will have easier access. It means many of the funds that might go to something more beneficial, to families in this province, go into these machines. There is an increasing number of people addicted to them.

What the member for Carleton East is looking at is yet another machine that would make access easier. I think his concern is again one which we would all share, and that is that under-age people might have access to these machines, machines which would dispense instant winning tickets in this particular case. It's very hard to police that. Once you have them in operation in various places, it's hard to police that.

As long as you have an individual selling, there's an individual who has liability, an individual who must exercise her or his conscience in selling a ticket to an under-age person. But the machine does not have that same conscience, so we're liable to see a proliferation.

The good thing about private members' hour is that I look at this issue as one which is, if not non-partisan, multipartisan, because I can't help but believe that there are members on all sides who have some genuine concerns when they watch governments head in the direction of more and more gambling revenues.

I remember Premier Harris, when he was leader of the third party, and Ernie Eves, who is now the Minister of Finance, both genuinely expressing concern a couple of years ago about this escalation of gambling opportunities. Our Premier said on that occasion that he didn't really want these revenues for government, that he wasn't interested in these revenues for government. I agreed with the Premier, who was leader of the Conservative Party at that time, on that particular issue. I thought there was a pretty good coalition of people in the House who had some genuine concerns.

The government of the day was embarking upon casinos. One was established in Windsor and there was one headed for Niagara Falls. But even members of the government caucus — I think one member resigned from the Legislature or turned into an independent, largely over that issue.

I don't condemn any political party, because all parties have been part of the escalation of gambling opportunities. What I'm saying is that we as legislators, as individual and independent-minded legislators, have a chance through this avenue, through private members' hour, to give an expression of our concern about the escalation of those gambling opportunities. Yes, funds have been raised for some good causes, and yes, governments welcome revenues which can be derived in what they consider to be a painless way, but I think we pay far too great a social price for the continued escalation of gambling opportunities. That's why I'd like to see us put a halt to that escalation and evaluate where we are and, if necessary, scale back from where we are at the present time. The charity casinos that are going to be in about 44 communities in my view will simply suck every last dollar out of those communities, won't help other businesses and will channel

money in a direction which isn't necessarily good for society.

I commend the member for bringing forward this resolution, and I know there's a lot of support among members of the assembly for it.

M. Bisson : Premièrement, j'aimerais indiquer que moi et le restant de notre caucus NPD, on veut donner du support à ce projet de loi 163. On trouve que le projet de loi prend en bonne direction, comme la direction que nous avons prise comme gouvernement dans plusieurs situations faisant affaire avec les jeunes de notre province ayant l'habilité d'aller rechercher des billets, comme on voit, que M. Morin voudrait faire arranger.

Je vais partir un peu du thème de ce matin pour dire qu'une affaire qui me frappe comme député ici à l'Assemblée, c'est comment avec tous les gouvernements ce n'était pas mal la même affaire, le gouvernement de M. Peterson, le gouvernement de M. Rae et de même et le gouvernement de M. Harris, que des fois on est un peu trop pressés, comme législateurs, de passer des projets de loi. Quand on passe ces projets de loi, des affaires comme celles-ci arrivent. Pourquoi ? Parce qu'on n'a pas pris le temps de vraiment regarder les implications du projet de loi quand il était mis à travers la Législature.

On voit ces jours-ci à l'Assemblée des projets de loi, tels que la Loi 160 sur l'éducation de quelque 260 pages, qu'on passe avec un processus législatif d'environ deux ou trois jours, trois jours à la deuxième lecture avec une journée à la troisième lecture, et puis peut-être quatre ou cinq jours en comité. Le point que je fais c'est que, quoi qui arrive, comme législateurs, députés locaux et comme citoyens, on n'a pas dans ce processus vite l'opportunité de vraiment regarder les implications de la loi, de donner au public la chance de regarder et de digérer ce que ça veut dire, pour voir s'il y a des problèmes tels que M. Morin soulève sur les distributeurs automatiques des billets.

Quand un gouvernement a dit durant les années passées qu'on allait allouer la vente des billets dans la province, et ça date de beaucoup d'années et sous gouvernements successifs qu'on fait des changements avec des lois sur cette question — parce que le processus est assez vite, je pense qu'on n'a jamais vraiment regardé : «Mais c'est quoi, l'implication pour les jeunes dans notre province, d'avoir l'accès à des billets à travers ces machines-là ?» Le point que j'essaie de faire est simplement que, si on prenait notre temps ici à la Législature premièrement, quand on commence avec un projet de loi, on pourrait faire une bonne consultation publique, même avant que le projet de loi soit écrit.

Par exemple, dans la question du projet de loi 160 sur l'éducation, le gouvernement Harris aurait pu, avant même d'amener la législation directement à l'Assemblée, faire une bonne discussion publique pour que tout le monde ait la chance de parler un peu sur ce que cela veut dire, ce que le gouvernement veut, c'est quoi les thèmes généraux et comment pourrait-on être capable de faire ça pour accomplir les buts du gouvernement ; et là, quand on commence le processus législatif ici à l'Assemblée, qu'on

aurait assez de temps comme députés de traiter de la question.

Le point que je fais est que, si c'était arrivé pendant les années passées quand on a commencé avec toute la question de ventes de billets en Ontario, avant de passer le premier projet de loi, si on aurait pris le temps législatif et le temps en comité pour vraiment regarder la situation, faire la consultation publique avec la population, c'est très possible que cette question-là aurait été soulevée durant le processus public et on ne serait pas ici aujourd'hui avec le projet de loi 163 pour essayer d'arranger le problème.

On a besoin en Ontario, et possiblement dans d'autres juridictions, d'être capable de trouver une manière de ralentir un peu le processus législatif pour qu'on puisse prendre le temps de bien étudier la question ici à l'Assemblée, donner au public la chance de vraiment discuter et de digérer ce que le gouvernement propose, et dernièrement, prendre assez de temps de faire ça pour que, quand on passe un projet de loi, on ait regardé tous les aspects pour s'assurer qu'on n'a pas causé des problèmes qu'on ne voulait pas.

Je pense que c'est ce qui est arrivé dans la question des distributeurs automatiques. Dans mon comté, comme dans le comté de M. Morin, il y a beaucoup de fois où les jeunes ont un couple de piastres à dépenser et ils s'en vont pour acheter un billet. C'est contre la loi à cette heure à cause d'un projet de loi que le gouvernement NPD avait passé pour qu'on ne soit pas capable de vendre les billets directement aux jeunes, mais ils prennent l'argent puis ils s'en vont à un distributeur automatique pour l'acheter. Ça, c'est un problème.

On ne veut pas que nos jeunes, premièrement avec les sous qu'ils ont, dépensent l'argent de cette manière. Il y a de meilleures manières de dépenser leur argent. Mais plus important, on ne veut pas que les jeunes commencent à prendre l'habitude de jouer des jeux de chance à un âge très jeune parce que ce n'est pas une bonne manière pour commencer une habitude. S'ils vont commencer ça très jeune, les chances, quand ils commencent à grandir et deviennent plus vieux, d'être poignées dans tous ces jeux de chance d'une manière possiblement — ce serait très négatif.

C'est avec plaisir que moi, député de Cochrane-Sud, et le restant des députés du Nouveau Parti démocratique allons voter en faveur de ce projet de loi. On demande au gouvernement conservateur d'adopter ce projet de loi à la deuxième lecture et de donner la chance au projet de loi de passer au comité, où on pourrait regarder cette question-là et donner la chance au projet de loi de passer.

Je veux faire seulement un point en finissant. On trouve chez ce gouvernement une habitude envers les projet de loi privés des députés comme M. Morin et autres. Le gouvernement conservateur n'est pas très fort quand ça vient à adopter ces projets de loi. J'espère que le gouvernement conservateur ne continue pas cette habitude avec ce projet de loi pour dire Oui à la fin de la journée, parce que c'est un projet de loi qui aurait dû être fait il y a longtemps. Merci.

1050

Mr Bob Wood (London South): I rise to support this bill which would prohibit the sale of lottery tickets through vending machines and would prohibit owners and operators from having or keeping such machines in public places.

Many members of the House will be aware that I am not a great enthusiast of the expansion of government-sponsored gambling activities. While many people view various kinds of gambling, including playing the lottery, as a form of entertainment, the fact of the matter is that in order to generate higher profits, the industry must create more losers. Ultimately most people will lose much or all of the money they wager.

I accept the fact that a certain amount of legal gambling must be permitted in order to avoid creating revenue sources for criminal enterprises, but surely all members of the House would agree that the government has a legitimate interest in ensuring that, as with tobacco and alcohol, access to gambling by minors is legally restricted. That is why I support this bill.

Gambling is not something we should encourage among our young people. Independent studies show that teenagers are two to four times more likely to develop problem and compulsive gambling habits than adults, even when access to many forms of gambling is legally restricted. Passage of this bill would be an effective step in restricting access by minors to the most widely available form of gambling, while still leaving legal vendors with adequate opportunities to sell lottery tickets to adults.

Mr Frank Klees (York-Mackenzie): I'm pleased to have an opportunity to address this bill. I commend the member for Carleton East for bringing this bill forward. I agree in principle with his intent and I will be voting in favour of this bill.

All too often government is left to deal with the symptoms, the fallout of societal issues and I think many times we are left dealing with legislation that allocates additional dollars, allocates programs to solve some problems that are symptoms of real root causes. I think we have an opportunity here in this House today to deal with a piece of legislation that goes to the root cause and to prevent some problems that could face us in years ahead.

I look forward to seeing this bill go forward and I hope that it goes to committee, that we have an opportunity to have some further discussion and perhaps some amendments to this bill which may make it practical in terms of implementation.

Certainly with regard to cigarettes, as the member points out in his letter to me, we have made illegal the sale of cigarettes to minors, and that perhaps one variation of this bill, an amendment that may be considered, is that these tickets be restricted for sale in licensed premises where under-age children do not have access. That's one possibility. I can tell you that personally I am very much in favour of doing what we can to protect the young people in our province, the most vulnerable. We, as a Legislature, I believe, have a responsibility to deal with these kinds of issues and this is our opportunity to do so.

I will be voting in favour of bill and I again commend my colleague from Carleton East for bringing it forward.

Mr Jerry J. Ouellette (Oshawa): First of all, I'd like to commend the member for Carleton East for bringing this forward. I think it's a topic that needs to be discussed and should be looked at in a very serious way.

Also the member for Essex South mentioned how we don't have machines that distribute beer. However, there are machines that distribute beer in certain locations. I have a student from my riding here this morning, Kierstyn Ellis, and I welcome her here. As Kierstyn mentioned, she's never seen one of these machines. However, I myself have seen them in certain locations that, yes, would cause me concern. I think, though, that what should be looked at is possibly having them in certain locations where individuals have to be of age, such as in legions or licensed establishments and things like that. Quite possibly those are the areas we should be looking at.

I will be supporting this motion that has been brought forward by the member for Carleton East so we can look at it further and possibly refine it through a committee process, should it reach that stage, where we can address that particular issue.

The Acting Speaker: The member for Carleton East has two minutes to respond.

Mr Morin: For my concluding remarks, I will quote Dalton Camp:

"There is anecdotal evidence of winners at VLTs, but the winners inevitably become losers. No one has yet retired on the earnings, but thousands go broke every day.

"Everyone knows small-time gambling has brought big-time profit to government, and ruin to the sad sacks who play the machines. Described as the crack cocaine of gambling, VLTs are any government's preferred method of raising revenue — a sucker tax on gambling addiction.

"The decision to take the cash — and duck the discredit and cynicism that come with it — befits the libertarian spirit permeating government today. Amorality has become an instrument of policy-making.

"One must always assume, in government, that doing what is right is indistinguishable from doing what is profitable, or what is least expensive.

"This balance sheet mentality conveniently overlooks — where it does not entirely omit — the collateral costs of revenues, rents from the marginally poor, or addicted, or from those simply witless enough to fall prey to the son et lumière of an infernal machine designed to fleece all those who play it.

"Despite widespread opposition to VLTs, politicians hesitate to act.... Gambling has always been a racket — a business that appeals largely to the larcenous, as a business, and to the weak and those of lesser means, as a game.

"Governments that need the proceeds from gambling to stay afloat have no more moral purchase on public opinion than addicts who blow their paycheques at a VLT.

"The profits taken from human misery and folly are not only unbecoming, they are also further evidence of a painful truth — that governments today are determined to

represent what is worst in all of us, and all for the cosmetics of the balance sheet."

Let's show the citizens of Ontario that we will have a unanimous vote on this issue, that it's for the benefit of all that it should go to the justice committee.

HOUSEHOLDER MAILINGS

Mrs Brenda Elliott (Guelph): I move that in the opinion of this House, the Legislative Assembly of Ontario should request the Ministry of Intergovernmental Affairs to petition Canada Post Corp to treat under section 35 of the Canada Post Corporation Act members of the Legislative Assembly and municipal councillors of Ontario in the same manner as federal members of Parliament and request the Canada Post Corp exempt them from the ban of economy unaddressed ad mail and allow delivery of not more than four householder mailings per year.

The Acting Speaker (Mr Bert Johnson): Mrs Elliott moves ballot item number 108. Pursuant to standing order 95(c)(i), the honourable member has 10 minutes for her presentation.

Mrs Elliott: It is my pleasure to move ballot item 108 this morning with respect to the inclusion of all elected officials for household mail delivery.

Several months ago, an issue was brought to my attention that I believe requires address and requires discussion in the House. Last July the Canada Post Corp established a new policy and began a program called Consumers Choice. This is a project that allows constituents the opportunity to obtain a sticker from any post office, place it on their mailbox, and in so doing signal to the mailman by way of this sticker that they do not wish to receive bulk ad mail, or what's commonly called junk mail.

It's not a new idea. In fact this has been happening in Guelph for several years. The city of Guelph, particularly through the waste management department, has offered similar stickers. It's a voluntary program and citizens are making a very clear choice when they put the sticker on their mailbox that they want less advertising in their homes. In Guelph the ad mail has been so significant that there is more than one household that actually has a blue box not far from their front door.

1100

For most of us, it was a decision based on environmental views, wanting less waste, and if we missed out on something, perhaps a great deal at the grocery store, we were willing to accept the consequences and, further to that, maybe pay a bit more for the sake of saving a few trees and creating less landfill.

What many people may not have realized is that ad mail includes unaddressed bulk mail or mail addressed to the householder, the box holder, the occupant or resident, and that they were inadvertently signalling to the mailman that mail of some import should not be delivered.

The type of mail I'm referring to today is what we here in the House would often refer to as a householder. Periodically, members of the Legislature create publications to distribute to our constituents. It might be a newsletter, it

might be a flyer, it might be a booklet, it might be something for seniors, it might be a community directory. It could include updates on the latest legislation. It might include notes on upcoming legislation, perhaps invitations to meetings and community events. It might contain congratulations or all sorts of pieces of information of interest to our constituents.

These are opportunities for us to remind our constituents of where our offices are, what our hours are, that we're here to help them and offer different ways that we can help them. It's important to remember that these flyers, newsletters and so on are non-partisan and reflect the needs of the whole constituency.

Canada Post has indeed recognized that non-partisan information pieces such as I've described should be delivered to constituents. There are certain pieces of information that people need to know, so Canada Post has passed two exemptions to the Consumers Choice sticker program: The chief electoral officers of Canada and the provinces are exempted, and the members of the federal House of Commons are exempted.

I would draw your attention to the fact that while electoral officers in the provinces must be exempted, members of Canada's provincial legislatures have been overlooked and ignored. Elected members of all municipal councils have also been overlooked and ignored. I ask you this: Are we not all duly elected? Do we not all have important issues to share with constituents? And do we not also have not only the right but in fact the obligation to keep our constituents informed? I am appalled at the attitude that this exemption displays.

Several months ago I wrote to the minister responsible for Canada Post and asked why other elected officials were unfairly treated. He informed me that the reason federal members of Parliament were exempted from the ban was because of an existing clause in the Canada Post Corp Act, section 35.3, which indicates, "Subject to regulations made pursuant to section 36, in any calendar year a member of the House of Commons may transmit by post free of postage to his constituency up to four mailings of printed matter without further address other than 'householder,' 'box holder,' 'occupant' or 'resident.'" He also wrote that consequently an exemption to the program was required.

To my mind he added insult to injury — no mention that any thought had been given to the matter or consideration for us or for those interested in what we might have to share. He says: "The importance of unaddressed reports and communications from elected officials at the provincial and municipal level is appreciated and Canada Post will always be pleased to deliver these items."

Let's get this straight. We can buy from Canada Post the service of delivery of mail to be delivered to every household in our riding, but if there is a Consumers Choice sticker on the mailbox, we have just paid for something that cannot be delivered. And if you think about it, it gets worse: Provincial taxpayers have just paid the federal government for a service that's impossible to deliver.

I draw your attention to another part of the clause that I referred to earlier, "by post free of postage to his constituency of up to four mailings." As an aside, as a woman legislator, I would note that it could say "her constituency," but anyway. Not only are federal members of Parliament exempted from the ban of unaddressed mail; Canada Post pays for the postage. This situation is unacceptable. Provincial legislators and municipal councillors have a ban imposed upon them, we must pay for mail that our federal counterparts get free, and then we pay for mail that may not at all be deliverable.

Why is it that MPs get free postage in the first place? The corporation that is responsible for the mail is a federal crown corporation that gives federal members of Parliament free service. If you follow that principle, would it not mean that here in Ontario, because Ontario Hydro is an Ontario crown corporation, Ontario MPPs should then get free electricity? Of course not.

Constituents have a right to be informed of legislation, whether it be at the federal level, the provincial level or the municipal level, and we as elected officials have a duty to inform our citizens. The level of government should be irrelevant.

I know that in each one of our ridings there will be constituents who would say that anything from a politician is automatically, by definition, junk mail. But at least they should have the opportunity to see it before they make that decision. In Canada, the opportunity to be informed and to inform must be fair.

I am pleased to have the opportunity to bring this issue before the House today. I ask all members to write to their members of Parliament and to the federal minister responsible for the Canada Post Corp on this matter.

Today I am asking for unanimous support from the members of this House to press the Canada Post Corp to treat elected members fairly. It is only right to exempt municipal councillors and provincial legislators from this ban, and either give none of us free mailings or give all of us free mailings.

Mr Alex Cullen (Ottawa West): I rise in support of the honourable member's motion that we are discussing today. As a matter of fact, as we look at this I am somewhat disappointed that it does not cover official mailings or notifications coming from either the provincial government or municipal government. I am going to support this. I think this is an important issue, especially in terms of accountability of elected representatives to the taxpayers of their community, whether they be municipal, provincial or federal.

The resolution deals with, as the member mentioned, the Consumers Choice program which Canada Post has put in place in response to the concerns raised by many people in Canada. We see it whenever we go door-knocking as politicians, "No Junk Mail, Please." "Save Our Trees." Indeed, that is a very noble thing to support. The issue is, what is junk mail? This is where we have the difference of opinion with Canada Post.

It's interesting that the Canada Post program exempts not only federal members of Parliament householders —

the postmaster general hides behind a specific section of the legislation governing Canada Post — but also community newspapers, which was apparently brought in at the insistence of members of Parliament when this regulation was going through, and also mailings coming from the chief electoral officer of Canada and the provincial chief electoral officers. That of course is a recognition that to ensure that people are fully aware of their democratic rights to participate in election, they get the appropriate information.

To my mind, it is extremely shortsighted. When I was a member of the regional municipality of Ottawa-Carleton and we became aware that the federal government had taken this initiative, I immediately brought it to our council and our council passed a motion asking Canada Post to reconsider. There are many times when a municipal government must communicate with their electorate, and of course it behoves that government to do so in the most cost-efficient, effective manner.

We can put ads in the paper and we can put ads on television and ads on radio, but that's very expensive, and in many cases you need constant repetition to make sure you get the coverage you want. There is nothing like getting direct mail from your local municipality telling you about a rezoning, telling you about changes in water quality, telling you about a public health issue.

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I can recall that in Ottawa-Carleton we dealt with a meningococcal disease situation where there was a requirement for public vaccination. How to get that information out? It was cost-effective to use Canada Post. You cannot call those mass mailings to deal with those issues not in the public interest, and you certainly can't call them junk mail. For example, the government of Ontario has just mailed out Ontario Speaks. We want every citizen in Ontario to have the opportunity to participate in a very important issue of the day, which is how to keep this country together when faced with the divisive forces that we find residing in the Péquiste government in Quebec.

How can we provide that opportunity? The "No Junk Mail, Please," and "Save Our Trees" stickers that we see many places are designed for those advertising inserts. That is what we're looking at: the pizza inserts, the latest ad from your shopping centre, what have you. The kinds of communications that should be going to each and every resident which come from their government agency I believe should be exempt from that kind of ban.

This motion that's being presented to us here by the member opposite simply petitions Canada Post to treat, under section 35 of the Canada Post Corporation Act, members of the Legislative Assembly and municipal councillors of Ontario in the same manner as federal members of Parliament. I support that. It's important for taxpayers to know what their government is doing, what their elected representative is doing. Certainly not every municipal councillor does that, engages in a householder. Many of us here do, because we're trying to show our taxpayers what we are doing in terms of representing their interests and how their tax dollars are being spent.

I can think of no better time to ensure that this right is there, that everyone has the ability to receive this information and therefore make judgements and participate in the discussion of the issues of the day if they get the information. They have to get the information to be able to participate and make sound judgements. When that route of providing information is deprived, we are not helping the operation of our community very well.

The exception that is being made — and I read here the letter that came back from the Honourable Alfonso Gagliano, the Minister of Public Works and Government Services of Canada, in response to a letter our Speaker had sent — opened the door to using community newspapers as a venue to communicate with the public. Of course we do, but community newspapers do not cover every community; we all know that. There are some parts in the province where community newspapers do not use ad mail, do not use Canada Post and cannot get out and deliver our message.

I believe all members are aware that our Speaker, on our behalf, wrote to the minister on September 30. He wrote both as Chair of the Board of Internal Economy and as Speaker of the Legislative Assembly of Ontario to express our concerns regarding the decision by Canada Post to include provincial member householders as ad mail, the effect being that we would be excluded for those residents who participate in Consumers Choice. Therefore, we are considered as junk mail, and those who do not wish to receive junk mail would not receive our material.

I just want to quote: "I am sure you are aware that these types of publications are important for some members to communicate with their constituents. To curtail the distribution of these mailings would be extremely unfair to these members. Allowing federal members' mailings and not mailings from other levels of government appears to me to be discriminatory. Furthermore, I fail to understand how a newsletter from any of our members can be viewed as any less important than a newsletter from a federal member. I have received many calls and letters from our members, who are hoping that the decision is reconsidered. I urge you, on behalf of the 130 members of the Legislative Assembly, to do just that."

I would ask the member opposite and my colleagues here to consider expanding the scope of the resolution to include official communications from levels of government — municipal, provincial — because there are matters of important public concern, and I've outlined a few, it is necessary to communicate. Yet we are all husbands of the taxpayer's dollar. We must make sure we find the most cost-effective way, and if this very efficient means of delivering information to our constituents is being removed from us, often the choice is, how do we get this information out, what is the assurance of our coverage, and can we do a good job of doing it.

I am delighted to stand and support the honourable member's motion today.

Mr Peter Kormos (Welland-Thorold): I support this resolution. I find myself in the unusual position of agreeing with a Tory counterpart. I welcome the opportunity to

speak to it and to make note of our solidarity in this caucus with postal workers, CUPW members who have been forced into a strike situation. We want to take this opportunity to condemn even the contemplation of use of scabs to replace the work that postal workers do.

In case there are folks watching this on black and white television sets, my pocket handkerchief is green, for very obvious reasons. I am confident that, further to the matter of the solidarity with CUPW workers, folks can come out here in front of Queen's Park at 12 noon today, in just about 45 minutes, and join working people and their leaders as delegates from the Ontario Federation of Labour mass here at Queen's Park in protest of this government's attacks on democracy, in protest of this government's attacks on workers, and in protest of Bill 160: the scuttling, the evisceration of public education as it has been built in this province over so many years with the sacrifice of so many people.

Mr Frank Klees (York-Mackenzie): I am pleased to rise to address this resolution on behalf of the Minister of Intergovernmental Affairs. This resolution is timely. I recall when I first became aware of this change, which changes how we, as members of this Legislature, and other elected officials across the province at the municipal level are able to communicate with those who elected us. It changes that as of July 2 of this year.

I have to believe this was an oversight on the part of the federal government. I cannot for one minute believe that this was intentional: to equate correspondence, communication, from elected members of the Legislature or of municipal councils across this province with ad mail that comes out from retail chains. The member's initiative in bringing this to this House, seeking the support of this Legislature and bringing this to the attention of the federal government, as I said before, is certainly timely.

No one likes junk mail belabouring our mailboxes, but I can tell you that, particularly over the last number of weeks, given the important pieces of legislation we're dealing with in this province, the recurring theme from my constituents has been, "Help us with more information about the legislation you're bringing forward."

I think fundamental to democracy in this province, in this country, is the ability of elected officials to communicate with their constituents. I think we should all be optimistic that when our Minister of Intergovernmental Affairs formally brings this to the attention of the federal government, we will see their reconsideration and their quick action in response to the member for Guelph's resolution this morning.

I commend her for bring this forward, and we look forward to the opportunity to having this right of communication restored not only to members of this Legislature but members of every official elected body in this province.

1120

Mr Bruce Crozier (Essex South): I also welcome the opportunity this morning to speak to the resolution of Mrs Elliott, the member for Guelph, and to support her in her resolution.

I would just comment initially that although it would be nice if our mailings could be treated exactly the same as those of our federal members, that being that they be delivered without cost, I don't wholeheartedly support that; in other words, if we can get our householders delivered, and the fact is that they may have to be paid out of our budget, so be it. I think the important thing is that we be treated, along with our municipal representatives, the same as those in the federal government.

I think householders can be of some value. I didn't realize before I came here that, particularly in opposition, there are limited ways in which we can communicate with our constituents. I can tell you that my householder — I have sent one a year. I point out that part of it is a view from the opposite side, and that is to give another view of any particular piece of legislation we may choose.

I think it's good for opposition members to be able to communicate that way. At the same time my householder has contained I think good information on government legislation that informs our constituents of that legislation, how they can access the things that government can and should do for them.

I try to keep that householder kind of in two sections, where part of it may be somewhat of a partisan nature but only to give a view that may be different from that of the government so that at least our constituents can then make up their own minds. I don't think any government document or any document sent out, like a householder, from any member of the Legislature, should be of too partisan a nature. It should be as much informative as, or more informative than anything else.

Therefore, I can see no reason why we shouldn't be treated the same as our federal counterparts, and if the only result of this will be that they don't agree with this, we will have to go to the cost of addressing each piece of mail, which is possible, and go to the cost of first-class mailing, I suspect, or at least a mailing cost that will be in excess of the normal, most economical way to do it.

I certainly want to add my voice to that of the member for Guelph and add it in a way that emphasizes the fact that these mailings should be used to inform our constituents. Although some of us may not use up to four a year, certainly if we only use one, that goes a long way to having a better informed constituency. Therefore, I would certainly stand in support of this resolution, hope that it passes, and will do what I can to support the position of the member for Guelph through my own member of Parliament in any way I can.

Mr Gilles Bisson (Cochrane South): I'm going to bring a bit of a different perspective on this particular motion, and I would say at the outset that there might be a very good reason why the Tories, the federal government —

Mr Wayne Lessard (Windsor-Riverside): The Liberal government.

Mr Bisson: The Liberal government, as he says, yes, but let me start it all over here again. It ruined the delivery.

There might be a very good reason why the federal government is not allowing junk mail to be sent out on behalf of people who are members of provincial parliaments; that is, quite simply, that they're trying to protect us from the Tory propaganda. Because if it's stuff coming from the Tories it truly has to be junk mail. So maybe there's a good reason why the federal government has taken the position it has, because we certainly know the government is —

Interjection.

Mr Bisson: You've got to look at all angles; that's what you've got to do.

The member brings forward a point, in all seriousness, that is a good one. There's obviously an oversight in the legislation, something we need to take a look at. I would say, given that there is a postal strike on at this particular time, in solidarity with the CUPW people I would urge that the government members do not allow junk mail to be delivered by scabs, at any particular time, because —

Mr Lessard: Or utilizing them themselves.

Mr Bisson: And utilizing them themselves. In solidarity with the CUPW people, I will keep my comments short and view this as a support to the CUPW people.

Mr John Hastings (Etobicoke-Rexdale): I'm entirely pleased to commend the member for Guelph's resolution this morning dealing with Canada Post's unilateral move to not equate provincial and municipal information, in householders or whatever type of communication you refer to it as, on the same level as material sent from federal members of Parliament. It leads me to ask the question on several grounds what is going on regarding this particular situation from Mr Gagliano, the minister responsible for Canada Post.

It seems to me that when all the premiers met in Calgary back in September and promoted the Calgary declaration about the role of Quebec in Canadian federalism, the Prime Minister of Canada, M. Chrétien, praised that particular declaration in terms of its equity of all the provinces, because that's one of the key fundamentals within the declaration.

If the federal government regards the Calgary declaration as being as favourable as he pointed it out to be and as all the premiers who participated in that situation regarded it to be, why is it then when we translate that principle into action that Canada Post, as a monopoly, is able to operate in complete disregard of that principle, particularly in respect of the minister who is responsible for Canada Post?

If provincial and municipal information, as householders or whatever phrase you want to use, is regarded as junk mail under the section Canada Post and the minister are hiding behind, then I guess one has to ask what constitutes criteria that elevate members of Parliament federally for their householders as not junk mail? What specific criteria elevate it higher?

It smacks in the worst sense of a sort of Liberal élitism regarding their views on the country. It may be a minor issue to us as politicians and how we communicate informa-

tion to the public, but certainly it points it out in terms of the motivation. One has to ask why they would do this.

It has been suggested by my colleague the member for York-Mackenzie that it was probably an oversight. I'm wondering if it might be insensitivity to other levels of government. I wonder if it might be incompetence. They were so quick to get it through in the middle of the summertime, July 2, that in point of fact perhaps — everybody wants to talk about motivation around here — that might be some of the motivation.

Regardless of the situation, this is an intolerable and outrageous practice. If one level of government can do this, then it points to sort of an ongoing unilateral federalism: We know best. We saw it pointed out in terms of the Prime Minister's approach to youth unemployment in this country when this was brought up at the Calgary meeting of the provinces.

I would urge all members of the House to support the member for Guelph's resolution, that the resolution be taken to the federal government by the Minister of Intergovernmental Affairs, Mrs Cunningham. I'd also urge that the Speaker once again join with other Speakers of provincial legislatures across Canada and ask that this particular selective monopoly be ended and that we get back to some equity in this practice: Treat all political communication on the same level, that it's all exempt from the practice of postage, or put postage costs on it, not, "You're select and then this group is the other way." Where are the criteria? We need some equity back into this.

I commend the member for Guelph for bringing this subject to the attention of the House and I hope we can get some action on it and not another letter from Mr Gagliano that says, "We appreciate your business but we may not even do it under the Consumers Choice program." It's sort of a confusing message from him. I hope we get it finished and resolved quickly.

1130

Mr Lessard: I want to express, along with my NDP caucus colleagues, our solidarity with the CUPW workers who are currently in a dispute with their employer at Canada Post and express our wishes that this dispute they have is going to be settled in the near future, so that if this resolution does pass today, CUPW workers will be able to deliver mail that's sent out by members of the provincial Legislature.

As you know, I was elected on September 4 and noticed that there was a substantial change in the ability of members to communicate through the mail with their constituents, very severe restrictions. This is a dangerous trend, in my view. Those mailing and budgetary restrictions on communicating with constituents were imposed by the Mike Harris Tory government. We see the federal Liberal government as well further trying to restrict the ability of members of provincial Parliament trying to communicate with their constituents. This is a trend that must be reversed. I want to congratulate the member for bringing this resolution forward today to try and address those

restrictions on members of provincial Parliament to communicate with their constituents.

I hope this request that's in the resolution, that the Ministry of Intergovernmental Affairs petition Canada Post, is going to be more effective than the request that was made to the Minister of Economic Development, Trade and Tourism to request the federal Liberal government to change the law with respect to craps being permitted in casinos. Let's hope that communication takes place a little bit faster.

Mr Dan Newman (Scarborough Centre): It's my pleasure to rise today in support of Mrs Elliott's resolution calling upon this House to "request the Ministry of Intergovernmental Affairs to petition Canada Post Corp to treat under section 35 of the Canada Post Corporation Act members of the Legislative Assembly and municipal councillors of Ontario in the same manner as federal members of Parliament" with respect to householders.

I commend her for bringing this forward because, as she so rightly mentioned, we as provincial members would be paying for a service and would not be able to know if our communications with our constituents would be delivered, whereas our federal counterparts aren't paying for theirs and have the assurance that each and every one of their householders would be delivered. I do commend her for bringing this forward.

Really, what is the difference between an elected member at the federal level, at the provincial level or at the municipal level?

Mr Frank Miclash (Kenora): They get paid more.

Mr Newman: The Liberal members say pay. Perhaps that is, but the real issue is that every one of those elected representatives is there on behalf of the taxpayers of their area, and taxpayers deserve that right to hear from their elected members, whether they send them here to Queen's Park, to any of the provincial capitals, to Ottawa or to their local town or city hall. They deserve that right to hear from their MPPs and MPs and other elected representatives just what is happening.

I think that it probably was an oversight on the part of Canada Post and I'd like to think — maybe I'm an optimist — that they would reconsider. Perhaps it is as the member for Etobicoke-Rexdale said, insensitivity towards other levels of government, that only the federal government should be able to get its communications out to its constituents. I think that would want to be looked at.

I ask the Liberal members here today, you have some connections in Ottawa, your federal cousins are the government in this country. In fact one of your former members of caucus sits in the government caucus at the House of Commons, the former member for Oriole, the now federal member for Thornhill. I'd ask you to ask her to fight on behalf of all elected members in Ontario, not just at the provincial level but at the municipal level, and to see that their communications are brought forward to their constituents, that they're able to see that.

I notice with interest that the member for Windsor-Riverside talked about having a problem with the reduced budget, that we've actually reduced the budgets of mem-

bers of provincial Parliament in Ontario by some 20% and, yes, there have been restrictions on the amount of communications that have gone out. But you have to ask yourself why. Why were there reductions in place on communications? Because the previous government allowed members to send out virtually an unlimited amount of mail and the actual cost of an MPP's office when all the costs were brought into place was almost \$240,000, \$250,000 on the part of many members who were sending out, I would think, excessive mailings. We have brought that back into line so that constituents across Ontario are able to receive communications from their elected representatives but not to the extent that they once did.

Perhaps the federal government and Canada Post, when this decision was made, decided that federal ridings and federal members would be allowed to do this because their ridings were larger. I say to you, if that was their reason in doing it in Ontario, our provincial ridings will be exactly the same size and have the same boundaries as our federal counterparts during the next election. At the start of the next election we'll have the same number of elected representatives here at Queen's Park, and that would be 103, as Ontario has at the House of Commons, which would be 103. That's a reduction of 27 elected members here in Ontario. If it is on the basis of geography and size of the riding that they're allowing federal members to continue to do this, then they ought to extend that same privilege to people who are elected to represent them at Queen's Park and at the municipal level.

Especially at times when there's a lot of restructuring going on on the part of municipalities, people want to know from their elected representatives at that level just what is happening. I know many people in Toronto are interested to see how our new city of Toronto will work and they want to hear from the 57 people who were elected on November 10 in this city and perhaps right across the province who were elected just what's happening in their communities, so I feel they should have that right as well.

Maybe Canada Post's motive in doing this is to make sure that everyone has a Web site so that is the way people are going to have to communicate with their constituents if Canada Post continues down the path that it's on right now, to not allow elected members at the municipal and provincial levels to effectively communicate with their constituents.

If Canada Post did continue down this path, many of the constituents wouldn't have the opportunity to know that this government has cut taxes 30 times since taking office, that they've had several cuts to personal provincial income tax in this province, that they've cut the employer health tax in this province with the goal of reducing it to zero for those small businesses with payrolls under \$400,000 and effectively removing it from larger corporations with payrolls over \$400,000 but actually exempting the first \$400,000. They wouldn't know that we've reduced the deficit in this province, that we've cut red tape or that there are 250,000 more people working in this province today if Canada Post didn't allow those house-

holders to go out and have those communications done at the economy rate from members.

Other members spoke as well about Ontario Speaks. I think it's very important that literature like that be able to be distributed to every single person in this province so that they have an opportunity to respond on the issue of national unity from this province.

As people indicated, newspapers are being asked to pick up the slack, that people would take out ads as a way of communicating with their constituents. The point was brought up that community newspapers aren't in every community and, for that matter, not everyone has a chance to leave their own home, to get out and purchase a newspaper or to pick up a free copy of a community newspaper. I think it's important that they are able to have those communications delivered right to their door.

In closing, I just want to say to the member for Guelph that I support her resolution. I think she should be commended for bringing it forward and that all members of the House should support her on behalf of the taxpayers of this province and indeed the taxpayers of Canada.

1140

Mr Miclash: I rise to as well support the member for Guelph's motion. She has certainly brought forth a matter of inequity here when we take a look at the principal component of her resolution regarding the householders going from a federal member or a provincial member.

The member for Scarborough Centre brings up an important point and it's a point that has certainly had a great influence on how we as northern members are going to be able to represent our constituents, that being the Fewer Politicians Act which enlarges a riding in the north, which is certainly going to have to have the distribution of householders and material throughout one third of the provincial land mass. We will have one out of 103 members representing one third of the provincial land mass, so of course householders and mailings at that point will become very important.

It was Mr Harris who brought forth the Fewer Politicians Act to limit the representation from northern Ontario, a very vast region of this province, by one third. We are dropping our northern representation and we are certainly going to have to have every means available to us to reach those constituents in that 337,000-square kilometre area of northern Ontario.

I applaud the member for Guelph for bringing this forth. I go back to the importance of information getting out to my constituents. As you will realize, to cover an area going from Rainy River all the way up to Fort Severn, is almost going to be impossible to service our constituents on a regular basis, as northern members do now. Knowing that riding is going to be enlarged by an enormous amount, I go back to the fact that mailings are certainly going to be very important.

I think of the number of things I do through either my householder — as we know, the calendar is referred to as a householder as well — and the number of important phone numbers that I get out to my constituents through this mailing. It is one I know they look forward to because

there is some very valuable information contained in a good number of those mailings to let constituents know how they can get hold of provincial government agencies and, more important, how they get hold of me representing them here in the Legislature in Ontario. It is a very important aspect and a very important service to our constituents in such a large geographical area and one that we need to service those constituents.

As I have indicated, I will certainly support this resolution.

Ms Frances Lankin (Beaches-Woodbine): I too am pleased to support this resolution that has been brought forward by the member for Guelph. As she will know, I rose on a point of privilege in the Legislature and raised this issue with the Speaker, hoping that representation could be made from the Legislative Assembly on behalf of all members to the federal government and to Canada Post to understand the impact of this decision they had taken. I am very pleased the member has taken the initiative to bring forward this resolution and I look forward to voting in favour of it.

I think there are times when perhaps people don't understand how important the MPPs' budget is with respect to communicating with their constituents. I know we've had a bit of that debate in here and we have seen restraint across all government budgets. We've seen restraint of MPPs' budgets as well. I know, for example, in my own riding that I am not able to communicate to the same degree that I did in the past as a result of those budget cuts.

Now some might say perhaps they got too much information from me in the past, I don't know, but most of the feedback I've received from my constituents is that people appreciate being kept up to date with respect to what's going on and being kept up to date with respect to their members' opinion of that, because it is on the basis of your record, the positions you take, the information you put forward that people will judge in the future whether they continue to have political support for you. That kind of communication back and forth with constituents, where you're providing them with information and where they are responding to you and giving you feedback so that you come here to this Legislature in order to all the better represent your constituents, is a very important two-way flow of communication.

Of course, with the issue that is at hand in this resolution, we know we cannot afford to have direct-address mail to all of our constituents. It would be next to impossible for us to afford from our budgets. The most cost-effective way for us to communicate using the taxpayers' dollars is through unaddressed mail, and you've heard other members here speak about householders and the kind of distribution of that, where it goes out on a postal walk as unaddressed mail.

The problem with the Canada Post decision on this, of course, is that it discriminates against different levels of governments and politicians not just in terms of their ability to communicate but also in terms of the individual residents themselves and whether they will receive very

important information from either municipal or provincial government.

By virtue of being environmentally conscious, of not wanting to support junk mail and additional wastage of paper, if you take that position, which I do personally, then I, as probably one of the people who would most want to hear from my elected representatives at all levels, would be denying myself the opportunity to get that information, so there's a bit of irony in all of this.

I think it is an issue that should be able to be resolved fairly quickly. I'm quite amazed at the insensitivity of the federal government and Canada Post in the decision that has been taken here. It seems to me that once it was drawn to their attention, it would have been fixed very quickly. I know that's not the case, because it was first drawn to my attention, actually, by a member of provincial Parliament from one of our western provinces. We know that approaches have been made, and no fix has been found at this point in time.

I think the member's resolution is both important and timely. Hopefully, with a joint expression of the members of this Legislative Assembly we will see a response to the concerns not just of provincial politicians and their ability to communicate with their constituents but certainly at the municipal level as well. I think the ability to have participatory democracy is dependent on the ability of constituents and their elected representatives to communicate with each other. In this case the decision that has been taken at the federal level is one that would hamper that.

I see there is about five minutes left on the clock, which I'd be delighted to share with my colleague. At this point in time, I'll just indicate my support for the member's resolution and thank her for bringing it forward.

1150

Mr Bud Wildman (Algoma): I'd like to thank my colleague the member for Beaches-Woodbine for giving me some time to participate in this debate and indicate that I too, along with I think all of the members of the House frankly, support the resolution brought forward by the member. All of us who have concern for the environment and for conservation would understand the wishes of people to avoid cutting down more and more trees in order to produce more and more junk mail. Now we have the additional problem of junk faxes that are becoming a nuisance to people and of concern.

But having said that, it is central to our democratic political system that the elected representatives have the responsibility to inform their constituents about the issues of the day and to seek their input, so that the MPP or the municipal politician as well as the MP can be informed about what the constituents think. Without that kind of exchange of ideas and views, it is impossible for MPPs, any elected representative, to properly represent her or his constituents.

It is most unfortunate that the federal government, Canada Post, would determine that the corporation would agree not to provide junk mail to any household that wishes not to have that mail but would include MPPs and municipal newsletters while protecting MPs' newsletters.

There is some discrimination here, which is not acceptable, and I'm sure that the members of Parliament in Ottawa, once they are aware of this through the passage of this resolution today, will do everything possible very quickly to rectify this obvious problem. People must be informed of what their MPs are doing in Ottawa, but they must also be informed about what their MPPs are doing at Queen's Park, just as they should be informed about what their municipal representatives are doing and what the issues are in each area.

I would guess that there are certain kinds of mailings that are done by provincial governments that could be considered indeed to be junk. For instance, the recent advertising about teachers and teachers' federations and teacher union bosses I would indeed classify as junk. If there's anything Canada Post can do about that kind of junk, I would be certainly in favour of it. I would support it all the way.

Having said that, I think it's important that we ensure that Canada Post and the members of Parliament in Ottawa are sent a message by the Legislative Assembly of Ontario that we believe we have a responsibility to inform our constituents and to seek their input about issues that are important at the provincial level.

I congratulate the member for bringing this forward. I know of her interest in the environment and her concern about ensuring that we do not waste paper, and that we enable people who don't want to receive endless brochures and advertising to be able to get Canada Post to agree not to deliver it to them. But that must not include newsletters from MPPs or, for that matter, leaflets from municipal representatives who are elected and who must communicate with their constituents.

Again, I support the resolution. I congratulate the member for bringing it forward. I hope that the member will receive unanimous consent and agreement from the members of the assembly for the support of this to send a message to Ottawa.

The Acting Speaker: The member for Guelph has two minutes to wrap up.

Mrs Elliott: I'd like to first of all thank my colleagues from all the parties for their support in my resolution today. We've touched on a number of different topics and each person seemed to look at this issue from a slightly different perspective.

In a sense, what we're faced with today is an issue of an inability to communicate not only out to our members but, as the member for Algoma just mentioned, an inability to in a sense receive feedback from our constituents. It's really important that we are able to share those kinds of information so that we can provide the kind of leadership they expect us to provide, whether it's at the municipal level, at the provincial level, or indeed at the federal level.

It really doesn't matter why this happened, whether it was an oversight or whether it was deliberate. It really doesn't matter. The fact does remain that we are about to have ridings in Ontario that will be exactly the same size as our federal counterparts' ridings. We will be serving

exactly the same number of constituents. Many of our issues will overlap. They will range from everything from finance to transportation to environmental issues.

My colleague from Algoma mentioned the stickers. In fact at one time when I had my environment store I used to give out these stickers. I agree with him; there are many, many people who believe that in refusing junk mail they save trees and they save landfill, and in fact they do. It's a very good thing to do from that perspective. But it's so important that our constituents are informed, that they understand what their elected representatives are doing and are about to do, and they have an opportunity to have input into those decisions. It's absolutely essential to our democratic process.

I say to all my colleagues today here in the House that I appreciate their support. Through this action we will make it very clear to the federal Parliament what we want, and I will commit to our colleagues to pass this message to other provincial legislatures across the country.

The Acting Speaker: The time for private member's business has expired.

ONTARIO LOTTERY CORPORATION AMENDMENT ACT, 1997

LOI DE 1997 MODIFIANT LA LOI SUR LA SOCIÉTÉ DES LOTERIES DE L'ONTARIO

The Acting Speaker (Mr Bert Johnson): We will deal first with ballot item number 107, standing in the name of Mr Morin. Mr Morin moved second reading of Bill 163. Is it the pleasure of the House that the motion carry? It is carried.

Shall the bill be referred to committee of the whole?

Mr Gilles E. Morin (Carleton East): Mr Speaker, I would like the bill to be referred to the standing committee on administration of justice.

The Acting Speaker: Mr Morin has moved that the bill be referred to the standing committee on administration of justice. Agreed? It is agreed.

HOUSEHOLDER MAILINGS

The Acting Speaker (Mr Bert Johnson): We will now deal with ballot item number 108, private member's notice of motion number 83, standing in the name of Mrs Elliott. Is it the pleasure of the House that this resolution carry? It is carried.

This House stands adjourned until 1:30 o'clock this afternoon.

MEMBERS' STATEMENTS

SCHOOL BUS SAFETY

Mr Pat Hoy (Essex-Kent): One year ago tomorrow, my school bus safety bill, private member's Bill 78, received the unanimous consent of this Legislature and was referred to the standing committee on resources development.

It was a proud moment for Larry and Colleen Marcuzzi, who were sitting in the gallery that day and with whom I have worked to bring forward meaningful legislation that will protect children. My bill was dedicated to their daughter Ryan who was tragically and needlessly killed by a driver who illegally passed her school bus when its warning lights were flashing.

Parliamentary tradition and the democratic system require that my bill be brought forward to be heard in committee. The government has refused to allow that to happen.

In June of this year, my bill forced the government to introduce its own school bus legislation, which is totally useless, to protect children. It has no mechanism for conviction. Colleen Marcuzzi said, "Palladini did the political thing, not the right thing."

I urge the government to call my bill to committee so that parents, bus drivers and other experts can come forward to tell you that Bill 78 will give the law the mechanism to convict guilty drivers who endanger the lives of innocent children. Do it now to protect the children.

EDUCATION REFORM

Mr Peter Kormos (Welland-Thorold): This Harris government's vilification of principals, of teachers, of school boards, indeed of any others — and there are hundreds of thousands of others, millions in this province — opposed to this government's demolition, its evisceration of publicly funded quality education exemplifies the demise of democracy here in Ontario.

The government's demonstrated lack of respect for its citizens and for their contribution to the democratic process is a dangerous warning sign. It is a warning sign that this abandonment of democratic principles, this abolition of democratic process is being witnessed not just across this province but across this country and indeed throughout North America. The eyes of North America are on this government as it dismantles publicly funded quality education here in Ontario, as it engages in the biggest power grab that any democratically elected government ever has in this province, indeed in this country, as it slams the door shut on the views and opinions of thousands upon thousands upon thousands of citizens of this province.

This government's motive is but to consolidate power in the back rooms of its corporate buddies and to engage in a money grab to the tune of, in the first year alone, over two thirds of a billion dollars to pay for its phoney tax break, the likes of which the people of Ontario want

nothing to do with insofar as it is going to be funded on the backs —

The Speaker (Hon Chris Stockwell): Thank you.

GABRIELE ERASMI

Mrs Lillian Ross (Hamilton West): Last Saturday I was pleased to join with the Sons of Italy, Trieste Lodge, as they honoured one of their own as Hamilton's Italian-Canadian Citizen of the Year.

Dr Gabriele Erasmi was this year's recipient and is an outstanding individual worthy of such a distinguished honour. Born in Trieste, Italy, in 1942, Dr Erasmi completed his studies at the universities of Trieste, Yale and Minnesota, where he received his PhD in 1975. Dr Erasmi has been at McMaster University since 1972, where he is currently an associate professor in the department of modern languages.

Dr Erasmi is the author of two books and many articles and research papers on the Italian presence in Canada. His involvement with the Hamilton Opera Guild and Opera Hamilton is well known. He has a tremendous love of classical music and has organized and coordinated at least 30 concerts of Italian classical music and is now for the second time president of the Dante Alighieri Society. I am told that it is not unusual to hear Dr Erasmi burst out with song as you travel the hallways of McMaster University's modern languages department.

Dr Erasmi's family and friends were justly proud as Gabriele humbly accepted this very prestigious award. On behalf of Hamilton, congratulations to Dr Gabriele Erasmi.

SPECIAL EDUCATION

Ms Annamarie Castrilli (Downsview): In the members' gallery today are Anna Germain and Robert Perkins, two parents of children with Down syndrome. They are members of a special education advisory congress in my riding of Downsview and elsewhere and members of various associations which advocate for children with disabilities.

They have come here today in a desperate attempt to ensure that their children and the many, many children with disabilities receive quality education. Their experience is that education under the Harris government is already suffering. Their children have little or no support in the schools. The funds to assist them are shrinking. With Bill 160, they fear that these children will be ignored, will be dumped into segregated classrooms with minimal supports and little possibility to learn and improve.

These parents are tired and frustrated. They are forced to lobby for essentials which should be a right for all children. Mike Harris is ignoring the very vulnerable group among the most vulnerable of all children. Bill 160 will make matters worse.

Parents are concerned. They are concerned enough to fight this draconian piece of legislation. They are con-

cerned enough to come down here. They want to ask this government to consider that education is a right for all children, not just the rich and able-bodied. They want to tell you: Don't bully these kids as well. Don't make them the victims of your tax cuts. Do the right thing. Pay attention to the needs of these children with special needs and withdraw Bill 160.

Ms Shelley Martel (Sudbury East): Opposition to Bill 160 and this government's destructive education agenda is growing. This is happening because people know that Mike Harris plans to take another \$667 million out of the education system next year. Parents, students and teachers have already seen the effects of the cuts to the classroom, with the \$800 million the Conservatives have already taken out. They know the publicly funded education system itself is at risk in the face of another \$667-million cut.

A parent in my riding called yesterday to ask me to ask Mike Harris how another cut to the classroom will possibly help his eight-year-old son. The son has attention deficit disorder and must take medication to control his behaviour. He has been seen by a psychiatrist and does require one-on-one supervision in the classroom, but the school board can't afford a full-time aide for the boy.

Since September 1997 he has only attended school on 16 days. There was no support for him in the classroom, so when his behaviour got out of control the school called the parents to come and take him home. As both parents work, they finally had no choice but to place him in the care of his grandmother in another community until the situation could be resolved.

Yesterday, at a school board meeting held with the parents and psychiatrists, no solution was found. The only option put forward was to possibly find some parents who would volunteer to come into the school to supervise this boy and other children who also require close attention.

My constituents' eight-year-old son remains out of school and unable to access an education he is entitled to receive in Ontario. My question to the Premier is simple: Explain to my constituents and their son how another \$667-million cut will help this boy get a quality education.

TORONTO TRANSIT COMMISSION

Mr Jim Brown (Scarborough West): I rise to demand that the board of directors and commissioners of the Toronto Transit Commission recognize the serious safety problems on Toronto's subway system.

As the trial continues in an assault that occurred at the Kennedy Road subway station where a victim had his legs broken, an 18-year-old OAC student is thankful she survived a push into the path of a subway train last Monday.

Two months ago 23-year-old Charlene Minkowski wasn't so lucky and was killed as she was pushed in front of a subway train. Fourteen-year-old Guy Ambus was mugged at the Kennedy Road subway station four weeks ago. His father, Louis Ambus, was murdered by two young offenders at his uncle's store nearly two years ago.

Tom Ambus started the Kid Brother Campaign and collected nearly one million signatures to change the Young Offenders Act. Tom was incensed at his nephew's mugging. He couldn't understand why three of the four newly installed video cameras weren't working, yet the TTC commissioned a wall mural in the Kennedy Road station to make it more attractive.

Almost two years ago 17-year-old Ishmail Spence had his throat slashed at the Kennedy Road station and died. A year and a half ago 17-year-old Michael Imam Ewaschuk was murdered at the Main Street subway station, and two years ago TTC ticket-taker Victor Trajeski was slain at the Victoria Park subway station.

Mugging, swarming and robbery are now common on public transit. Our families and kids use the subway. Mr Howard Moscoe, councillor-elect and vice-chair of the TTC, you must by now recognize the gravity of the safety problems on Metro subways. My family and my constituents do not want wall murals at the expense of safe subways.

1340

EDUCATION REFORM

Mr Dwight Duncan (Windsor-Walkerville): As Bill 160 moves closer to reality with the vote on Monday, I urge all parents, students and partners in education to make every attempt to contact their MPPs, especially their government MPPs, telling them to vote against this bill which is bad for students and bad for education. Make sure you call or visit your MPP over the next three days to take one last stand against this bill.

Centralization of the power of this magnitude reminds me of newspeak in George Orwell's world of 1984, where war is peace, freedom is slavery and ignorance is strength. Similarities abound with the Common Sense Revolution government of Mike Harris, when in Harrisspeak of 1997, cutting is quality, less is more, hearing is not listening, representation is regulation and, saddest of all, democracy is dead.

This experiment ought to be stopped. Take another stand this weekend, teachers and parents and students. Take a stand in Sudbury and in Thunder Bay and in Windsor and Toronto and in the 905 area and say, "Enough is enough of this nonsensical revolution, of this centralization of power, of this cut to our schools on the heels of cuts to health care." Let's take back Ontario and let's take back a progressive and positive future for all the people in this province.

Mr Tony Martin (Sault Ste Marie): "We, who are called to love and respect God and our neighbours, are very concerned and unsettled with the level of rancour, anxiety, concern, sadness and anger unleashed in the people of this province as a result of Bill 160." This is part of a statement made by the Toronto Conference of the United Church of Canada, November 12.

"Before you vote on Bill 160 in its present form, we think you are entitled to understand the level of frustration and grief we White Pines C and VS teachers are feeling as

a result of your government's intransigence in forcing Bill 160 on Ontario's public education system.

"While we are not opposed to a reasonable approach to educational reform, we are appalled by your government's attack on public education, and specifically, the dishonest badmouthing of teachers for the alleged improvement of education."

"I am a grandmother. My children were able to complete their education and find work in the careers of their choice. One is a teacher, one a nurse, one an electrician, one an executive secretary. I have grandchildren who are willing to work just as hard.... With all the downloading and restructuring," do they have a chance? This is Katherine Punch, Sault Ste Marie.

How many more people is it going to take? Some 126,000 teachers, some 1,000 more parents? Gary Connolly and his friends are still on a hunger strike at Trinity-St Paul's United Church at 427 Bloor Street West. Anybody who's concerned should join that —

The Speaker (Hon Chris Stockwell): Order. The member for Oshawa.

FESTIVAL OF TREES

Mr Jerry J. Ouellette (Oshawa): It's with great pleasure that I rise today regarding the Durham region Festival of Trees.

Tomorrow will begin the gala opening of the first annual Durham region Festival of Trees at the historic Parkwood Estates and Gardens. The Festival of Trees will feature beautiful, professionally decorated Christmas trees, centrepieces, wreaths and much more. The two-day community event will display and sell a variety of items which are artistically decorated for Christmas.

The proceeds from this event will be used to support the Chaplaincy Association at Oshawa General Hospital, Hospice Durham and Hearth Place, to name but a few.

This first annual Festival of Trees is made possible by a large number of dedicated volunteers contributing their time and effort to provide an event for the whole community to enjoy and benefit, and I congratulate those for their commitment.

The Festival of Trees is an event which individuals, families, local businesses and community groups can all participate in as volunteers, sponsors or simply coming out to enjoy the festival. The festival not only presents an exciting holiday event for the residents of Oshawa but also for the entire region of Durham and the province of Ontario.

This Friday, November 28, from 7:30 to 11:30 pm, the event will open with a mix and mingle, where residents can view the Christmas displays and items to be auctioned. The festival will offer choirs, auctions and raffles for the professionally decorated Christmas trees and Christmas crafts on Saturday, from 9 am to 5 pm.

I'd like to invite all members of this Legislature and citizens of Ontario to start off their holiday season by visiting Durham region's Festival of Trees.

CONSIDERATION OF LEGISLATION

Mrs Lyn McLeod (Fort William): Mr Speaker, on a point of order: I'll be brief, since I believe there's a great deal of debate to take place in the House today and I don't want to delay.

I do, however, want to speak on a second point of order that has relevance to the point you heard yesterday and that you gave your undertaking yesterday to report back on at the earliest possible moment. You'll recall that was the point of order that Bill 164, introduced by the Minister of Finance two days ago, served to amend Bill 149, and Bill 149 had already gone through a due amendment process.

A similar concern exists in relationship to Bill 160, which we are to debate today. Bill 160 again has gone through a due amendment process. The deadline for filing amendments to Bill 160 was November 5. The amendment process was completed.

Bill 164, which was tabled two days ago, very specifically amends Bill 160, should Bill 160 pass. It amends subsection 14(4), subsection 14(5), subsection 16(1), subsection 16(3), subsection 16(4), subsection 16(6) and subsection 16(8) of Bill 160.

I raise the same concern that was raised by my colleagues yesterday, that it is very difficult for us to proceed to debate a bill which has gone through an amendment process which, in my view, was already rather abortive but which is now already being amended by a bill which was introduced two days ago. I don't know whether those amendments are substantive or not because we simply have not had an opportunity to review them, but they clearly affect in some way the bill that we are about to debate this afternoon and that will be voted on before that next bill can be considered.

I appreciate your considering that as you consider the point of order raised yesterday.

Mr Bud Wildman (Algoma): I was listening carefully to my friend from Fort William, and I agree with her that the point she's raising is related directly to the point of order I raised regarding Bill 164 and its introduction when I rose yesterday.

We found that the government held off, to be blunt, on Bill 149's debate yesterday afternoon because of the problems raised by their introduction of Bill 164 and the fact that it amended Bill 149. The government and this House are presented with the same problem today in that Bill 164 also amends substantive parts of Bill 160, a bill which has received second reading but is still before the House for third reading, a bill that was also time allocated. The time allocation motion clearly stated that a particular date was the final date by which amendments could be put.

You will perhaps recall, Speaker, that at the time we were about to reach that date, as per the time allocation motion, we in the New Democratic Party suggested to the government that the government might be prepared to bring in a new time allocation motion extending the deadline for amendments. The government House leader at that

point refused and remained adamant that the deadline, as per the time allocation motion, stood. As a result of that, ironically his own Minister of Education and Training ran into problems in that he didn't get in by the deadline all his own government amendments that he wished to introduce. We also found that he introduced the wrong draft of the amendments he did introduce.

The upshot of all of this is that if there is a deadline for amendments and the government wouldn't move that deadline as per the time allocation motion, the government can't now slip in new amendments by pretending they're introducing new legislation. They can refer Bill 160 back to committee of the whole by moving a new time allocation motion to allow for amendments to be done in the proper way.

1350

Ms Frances Lankin (Beaches-Woodbine): Mr Speaker, I will be brief. On this same point of order, my friend from Algoma has just laid out for you a bit of history with respect to the tabling of amendments to Bill 160. I would point out specifically that we believe there were five amendments in particular that the government tabled after the 5 o'clock deadline. Those amendments were returned to the government by the Clerk's office.

It is our contention that those amendments have now been embedded in the bill that is before us and is the subject of this challenge, Bill 164, and that they seek to amend bill 160, which has not been passed by this Legislature. That is directly the point that was raised yesterday by my friend from Algoma with respect to Bill 164 seeking to amend Bill 149, which has not yet received passage in this Legislature.

In discussions with the government, I believe the government has virtually conceded, with respect to Bill 149, that there are significant problems in Bill 164. This new issue is of even more importance to have a timely ruling, because the government has informed us that it is their intent to proceed with third and final reading on Bill 160 this afternoon. We think these issues must be determined. In fact, it may need to mean a delay in the proceeding with Bill 160, as it meant a delay yesterday in the proceeding with Bill 149. We would ask you to look into that immediately.

Mr James J. Bradley (St Catharines): I'm rising on the point of order by Mrs McLeod, the member for Fort William. I'm asking you to look at this in terms of the fact that it is going to set a precedent, I believe, under the new rules of the House. We have new rules that govern this House now. Is this going to set a precedent that whenever the government is dissatisfied that it has been unable to bring forward all the amendments it wants to a bill, for any reason, it is simply going to come forward with some omnibus bill which contains amendments to several previous bills?

The problem is that the government is simply trying to avoid, in our view, going to committee of the whole, which is provided for in this House. That's what the committee of the whole is supposed to be for: to try to correct any of

the mistakes that it has made in terms of submitting amendments.

I believe that if on this occasion you allow the government to bring in amendments through the backdoor, that is, by means of another bill, indeed we're going to be setting a precedent. We're going to have sloppy legislation brought forward on an ongoing basis and people are really going to be wondering what they are debating when the day is over. For instance, when we debate Bill 164, are we really debating Bill 160? It appears from the contention of Mrs McLeod, the member for Fort William, who raised this matter in the House this afternoon, that this would be exactly the case.

We hope you will see the virtue of our arguments we have put forward and rule in favour of Mrs McLeod's contention.

Mrs McLeod: Just building on the points that have been raised by my colleague further to my point of order, there was a further amendment that was to have been presented on Bill 160. It was an amendment relating to a concern of the Urban Development Institute, and indeed of concern to the government. They had inadvertently submitted only one page of a two-page amendment affecting educational development charges in the bill.

There was an agreement on the part of both opposition parties that we would entertain a friendly amendment to allow both pages of the amendment to proceed, since we were in fact, believe it or not, in support of that amendment. Unfortunately, the government found that procedurally, according to its own time allocation motion, it could not entertain even a friendly amendment that would allow both pages of the amendment on educational development charges to proceed. As a result, they had to withdraw the first page because it was irrelevant without the second page.

Given the confusion — and we have a letter from the Urban Development Institute expressing its great concern with the confusion that's been created and the lack of consultation and the hasty proceeding with this bill — I'm wondering, Mr Speaker, if it is in order for us to agree through unanimous consent to allow the government additional time to revisit and amend its time allocation motion and go back to complete its own amendments properly. Is that in order, unanimous consent to allow the government to amend the time allocation motion so that it can complete its amendment process?

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): I believe that a valid concern over the orders of our House has been raised. I am prepared and will make the arguments necessary to show that Bill 164 is in order in its present form when the time comes for that to be done.

I think it's clear from the precedents which I have read and your ruling yesterday that this issue becomes important when in fact either 149 has been passed or 160 has been passed, and received royal assent; I think that is necessary as well. I will make a proper presentation as to whether or not 164 is or is not in order. It's my firm belief

that it is in order, but I am interested in making those submissions at the proper time.

The Speaker (Hon Chris Stockwell): Thank you to the members. Let me just be clear about the timeliness of this and the orderliness of what it is we're seeking, to find out what is in order and what isn't in order.

First, I will take that into consideration as well with the submissions yesterday. But really what we're talking about is the orderliness of Bill 164. It's not 149 or 160; it's the orderliness of Bill 164. I don't have anything to rule on until either 149 or 160 passes third reading. Royal assent, I don't know; I haven't examined that yet. But right now it seems to me it's third reading. It seems to me I may take the same arguments you put out today and seize them and study them carefully, but again, the government House leader does have a point: He is allowed to make the submissions when it is in fact before the House. Until 149 or 160 is passed, really 164 is not out of order. But I certainly hear what you say and when I do review it I will take these notes with me as well, upon reviewing that comment.

Mrs McLeod: Mr Speaker, my further point of order related to the fact that there was clearly an error made by the government in relationship to the educational development charges in the bill. I fully expect the government has to bring in further legislation in order to amend Bill 160, which we've not yet passed, in order to correct the error it made in the education development charges.

My concern is, are we going to go into an extensive process of amending a bill we haven't yet passed? It's with that in mind that I suggested that we would, by unanimous consent, agree to allow the government the time now to complete a full amendment process — bringing its own amendments forward, having them considered and voted on and being part of their original Bill 160 — rather than having to continually amend it with new pieces of legislation which will delay the proceedings of this House even further in the future.

The Speaker: If I have it straight, what you're asking unanimous consent for is to allow the government to bring that amendment forward to amend the bill by unanimous consent of the House.

Mrs McLeod: Because that happens to be one of the most glaring errors and omissions on the part of the government, to have presented only one page of a two-page amendment and then have essentially guaranteed the Urban Development Institute that it would be able in the clause-by-clause process to correct the error, and in fact couldn't.

There were some four or five amendments which the government inadvertently missed the deadline for and I suspect —

The Speaker: Just those four or five amendments, then?

Mrs McLeod: To amend the time allocation motion to extend the deadline for amendments. That's why the government got into trouble when it couldn't correct the one-page amendment.

The Speaker: Reopening the —

Mrs McLeod: To reopen the time allocation motion, Mr Speaker, so that the amendments can be reconsidered.

The Speaker: Let me be clear. The member for Fort William is seeking unanimous consent to change the time allocation motion so the government may reopen the bill and submit any further amendments they wish. Agreed? I heard a no.

Mr Dominic Agostino (Hamilton East): On a point of order, Mr Speaker: This morning the Ministry of Environment did a technical briefing on the white paper on environmental deregulation. I don't see a statement down by the minister; I'm sure it's a mistake. I'd like to ask for unanimous consent for the Minister of Environment to make a statement regarding the white paper that was released this morning on environmental deregulation in Ontario.

The Speaker: Unanimous consent for the Minister of Environment to make a statement on the white paper that was released this morning. Agreed? I heard a no.

INTRODUCTION OF BILLS

GOOD SAMARITAN ACT, 1997

LOI DE 1997 SUR LE BON SAMARITAIN

Mr Gilchrist moved first reading of the following bill:

Bill 166, An Act to protect Persons from Liability in respect of Voluntary Emergency Medical or First Aid Services / Projet de loi 166, Loi visant à exonérer les personnes de la responsabilité concernant des services médicaux ou des premiers soins fournis bénévolement en cas d'urgence.

The Speaker (Hon Chris Stockwell): Is it the pleasure of the House that the motion carry? Carried.

Mr Steve Gilchrist (Scarborough East): Very briefly, this bill, the short title of which is the Good Samaritan Act, 1997, will provide protection for any doctor or any private citizen who delivers first aid or other assistance in the case of an emergency for which there is no expectation of remuneration.

We believe this will go a long way to ensuring protection for volunteers who conduct themselves with good intentions, and it allows the province of Ontario to catch up to the other jurisdictions in Canada and most American states in affording this protection to volunteers in our society.

GEOGRAPHIC TOWNSHIP OF CREIGHTON-DAVIES ACT, 1997

LOI DE 1997 SUR LA CANTON GÉOGRAPHIQUE DE CREIGHTON-DAVIES

Mr Laughren moved first reading of the following bill:

Bill 167, An Act to Change the name of the geographic township of Creighton in the Territorial District of

Sudbury to Creighton-Davies / Projet de loi 167, Loi visant à remplacer le nom du canton géographique de Creighton dans le district territorial de Sudbury par celui de Creighton-Davies.

The Speaker (Hon Chris Stockwell): Is it the pleasure of the House that the motion carry? Carried.

Mr Floyd Laughren (Nickel Belt): This is to change the name of Creighton township to Creighton-Davies. As some members might know, Tom Davies, the retiring chairman of the regional municipality of Sudbury, comes from Creighton township and has contributed a great deal to life in the Sudbury community. This is to honour him.

I'd like to express my appreciation to the member for Sudbury East and the member for Sudbury for their cooperation in this regard.

BILL 160 REPEAL ACT, 1997

LOI DE 1997

ABROGEANT LE PROJET DE LOI 160

Mr Hampton moved first reading of the following bill:

Bill 168, An Act to Protect our Children's Education and Defend Local Democracy / Projet de loi 168, Loi visant à protéger l'éducation de nos enfants et à défendre la démocratie locale.

The Speaker (Hon Chris Stockwell): Is it the pleasure of the House that the motion carry? Carried.

Mr Howard Hampton (Rainy River): To explain very briefly, this is a bill to repeal the Education Quality Improvement Act, 1997. In other words, this is a bill to repeal an act which is otherwise known popularly as Bill 160.

BILL 160 REPEAL ACT, 1997

LOI DE 1997

ABROGEANT LE PROJET DE LOI 160

Mr Wildman moved first reading of the following bill:

An Act to Protect our Children's Education and Defend Local Democracy / Loi visant à protéger l'éducation de nos enfants et à défendre la démocratie locale.

The Speaker (Hon Chris Stockwell): Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1407 to 1412.

The Speaker: All those in favour, please rise one at a time and be recognized by the Clerk.

Ayes

Agostino, Dominic
Bartolucci, Rick
Bisson, Gilles
Boyd, Marion
Bradley, James J.
Brown, Michael A.
Caplan, David

Duncan, Dwight
Gerretsen, John
Grandmaitre, Bernard
Hampton, Howard
Hoy, Pat
Kennedy, Gerard
Kormos, Peter

McLeod, Lyn
Miclash, Frank
Morin, Gilles E.
North, Peter
Patten, Richard
Phillips, Gerry
Pouliot, Gilles

Castilli, Annamarie
Christopherson, David
Churley, Marilyn
Cleary, John C.
Colle, Mike
Cordiano, Joseph
Crozier, Bruce
Cullen, Alex
Curling, Alvin

Kwinter, Monte
Lalonde, Jean-Marc
Lankin, Frances
Laughren, Floyd
Lessard, Wayne
Marchese, Rosario
Martel, Shelley
Martin, Tony
McGuinty, Dalton

Pupatello, Sandra
Ramsay, David
Ruprecht, Tony
Sergio, Mario
Silipo, Tony
Wildman, Bud
Wood, Len

Bisson, Gilles
Boyd, Marion
Bradley, James J.
Brown, Michael A.
Caplan, David
Castilli, Annamarie
Christopherson, David
Churley, Marilyn
Cleary, John C.
Colle, Mike
Cordiano, Joseph
Crozier, Bruce
Cullen, Alex
Curling, Alvin

Grandmaître, Bernard
Gravelle, Michael
Hampton, Howard
Hoy, Pat
Kennedy, Gerard
Kormos, Peter
Kwinter, Monte
Lalonde, Jean-Marc
Lankin, Frances
Laughren, Floyd
Lessard, Wayne
Marchese, Rosario
Martel, Shelley

McLeod, Lyn
Miclash, Frank
Morin, Gilles E.
North, Peter
Phillips, Gerry
Pouliot, Gilles
Pupatello, Sandra
Ramsay, David
Ruprecht, Tony
Sergio, Mario
Silipo, Tony
Wildman, Bud
Wood, Len

The Speaker: All those opposed, please rise one at a time and be recognized by the Clerk.

Nays

Amott, Ted
Baird, John R.
Barrett, Toby
Bassett, Isabel
Brown, Jim
Carr, Gary
Carroll, Jack
Chudleigh, Ted
Clement, Tony
Cunningham, Dianne
Danford, Harry
DeFaria, Carl
Doyle, Ed
Ecker, Janet
Elliott, Brenda
Fisher, Barbara
Flaherty, Jim
Ford, Douglas B.
Fox, Gary
Froese, Tom
Galt, Doug
Gilchrist, Steve
Grimmett, Bill

Guzzo, Garry J.
Hamick, Charles
Harris, Michael D.
Hodgson, Chris
Jackson, Cameron
Johns, Helen
Johnson, Bert
Johnson, David
Jordan, W. Leo
Klees, Frank
Leach, Al
Marand, Margaret
Maves, Bart
Munro, Julia
Murdoch, Bill
Mushinski, Marilyn
Newman, Dan
O'Toole, John
Ouellette, Jerry J.
Palladini, Al
Parker, John L.
Rollins, E.J. Douglas
Ross, Lillian

Runciman, Robert W.
Sampson, Rob
Saunderson, William
Shea, Derwyn
Sheehan, Frank
Skarica, Toni
Smith, Bruce
Snobelen, John
Spina, Joseph
Sterling, Norman W.
Stewart, R. Gary
Tascona, Joseph N.
Tilson, David
Tsubouchi, David H.
Tumbull, David
Vankoughnet, Bill
Villeneuve, Noble
Wettlauffer, Wayne
Wilson, Jim
Witmer, Elizabeth
Wood, Bob
Young, Terence H.

The Speaker: All those opposed, please rise one at a time and be recognized by the Clerk.

Nays

Amott, Ted
Baird, John R.
Barrett, Toby
Bassett, Isabel
Brown, Jim
Carr, Gary
Carroll, Jack
Chudleigh, Ted
Clement, Tony
Cunningham, Dianne
Danford, Harry
DeFaria, Carl
Doyle, Ed
Ecker, Janet
Elliott, Brenda
Fisher, Barbara
Flaherty, Jim
Ford, Douglas B.
Fox, Gary
Froese, Tom
Galt, Doug
Gilchrist, Steve
Grimmett, Bill

Guzzo, Garry J.
Hamick, Charles
Hodgson, Chris
Jackson, Cameron
Johns, Helen
Johnson, Bert
Johnson, David
Jordan, W. Leo
Klees, Frank
Leach, Al
Marand, Margaret
Maves, Bart
Munro, Julia
Murdoch, Bill
Mushinski, Marilyn
Newman, Dan
O'Toole, John
Ouellette, Jerry J.
Palladini, Al
Parker, John L.
Rollins, E.J. Douglas
Ross, Lillian

Runciman, Robert W.
Sampson, Rob
Saunderson, William
Shea, Derwyn
Sheehan, Frank
Skarica, Toni
Smith, Bruce
Snobelen, John
Spina, Joseph
Sterling, Norman W.
Stewart, R. Gary
Tascona, Joseph N.
Tilson, David
Tsubouchi, David H.
Tumbull, David
Vankoughnet, Bill
Villeneuve, Noble
Wettlauffer, Wayne
Wilson, Jim
Witmer, Elizabeth
Wood, Bob
Young, Terence H.

Interjections.

The Speaker: Order. Member for Beaches-Woodbine, come to order.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 46; the nays are 68.

The Speaker: I declare the motion lost.

LOI DE 1997

ABROGEANT LE PROJET DE LOI 160

BILL 160 REPEAL ACT, 1997

M. Bisson propose l'adoption du projet de loi suivant :

Loi visant à protéger l'éducation de nos enfants et à défendre la démocratie locale / An Act to Protect our Children's Education and Defend Local Democracy.

The Speaker (Hon Chris Stockwell): Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1418 to 1423.

The Speaker: All those in favour, please stand one at a time and be recognized by the Clerk.

Ayes

Agostino, Dominic
Bartolucci, Rick

Duncan, Dwight
Gerretsen, John

Martin, Tony
McGuinty, Dalton

Interjections.

The Speaker: Order. Member for Hamilton Centre, come to order, please. Member for Cochrane North, come to order.

Mr David Christopherson (Hamilton Centre): The jackboots just keep clicking down the hall.

The Speaker: Member for Hamilton Centre, you must withdraw that comment.

Mr Christopherson: I withdraw it.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 46; the nays are 67.

The Speaker: I declare the motion lost.

1430

BILL 160 REPEAL ACT, 1997

LOI DE 1997

ABROGEANT LE PROJET DE LOI 160

Ms Lankin moved first reading of the following bill:

An Act to Protect our Children's Education and Defend Local Democracy / Loi visant à protéger l'éducation de nos enfants et à défendre la démocratie locale.

The Speaker (Hon Chris Stockwell): Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1428 to 1433.

The Speaker: All those in favour, please rise one at a time and be recognized by the Clerk.

Ayes

Agostino, Dominic	Duncan, Dwight	Martin, Tony
Bartolucci, Rick	Gerretsen, John	McGuinty, Dalton
Bisson, Gilles	Grandmaître, Bernard	McLeod, Lyn
Boyd, Marion	Gravelle, Michael	Miclash, Frank
Bradley, James J.	Hampton, Howard	Morin, Gilles E.
Brown, Michael A.	Hoy, Pat	North, Peter
Caplan, David	Kennedy, Gerard	Phillips, Gerry
Castrilli, Annamarie	Kormos, Peter	Pouliot, Gilles
Christopherson, David	Kwinter, Monte	Pupatello, Sandra
Churley, Marilyn	Lalonde, Jean-Marc	Ramsay, David
Cleary, John C.	Lankin, Frances	Ruprecht, Tony
Colle, Mike	Laughren, Floyd	Sergio, Mario
Cordiano, Joseph	Lessard, Wayne	Silipo, Tony
Crozier, Bruce	Marchese, Rosario	Wildman, Bud
Cullen, Alex	Martel, Shelley	Wood, Len
Curling, Alvin		

The Speaker: All those opposed, please rise one at a time and be recognized by the Clerk.

Nays

Amott, Ted	Guzzo, Garry J.	Ross, Lillian
Baird, John R.	Hamick, Charles	Runciman, Robert W.
Barrett, Toby	Hastings, John	Sampson, Rob
Bassett, Isabel	Hodgson, Chris	Saunderson, William
Brown, Jim	Hudak, Tim	Shea, Derwyn
Carr, Gary	Jackson, Cameron	Sheehan, Frank
Carroll, Jack	Johns, Helen	Skarica, Toni
Chudleigh, Ted	Johnson, Bert	Smith, Bruce
Clement, Tony	Johnson, David	Snobelen, John
Cunningham, Dianne	Jordan, W. Leo	Spina, Joseph
Danford, Harry	Klees, Frank	Sterling, Norman W.
DeFaria, Carl	Leach, Al	Stewart, R. Gary
Doyle, Ed	Marland, Margaret	Tascona, Joseph N.
Ecker, Janet	Maves, Bart	Tilson, David
Elliott, Brenda	Munro, Julia	Tsubouchi, David H.
Fisher, Barbara	Murdoch, Bill	Tumbull, David
Flaherty, Jim	Mushinski, Marilyn	Vankoughnet, Bill
Ford, Douglas B.	Newman, Dan	Villeneuve, Noble
Fox, Gary	O'Toole, John	Wettlaufer, Wayne
Froese, Tom	Ouellette, Jerry J.	Wilson, Jim
Galt, Doug	Palladini, Al	Witmer, Elizabeth
Gilchrist, Steve	Parker, John L.	Wood, Bob
Grimmett, Bill	Rollins, E.J. Douglas	Young, Terence H.

Clerk of the House: The ayes are 46; the nays are 69.

The Speaker: I declare the motion lost.

Interjections.

Mr David Christopherson (Hamilton Centre): Bob, do you decide when I lose my rights as an MPP?

The Speaker: Member for Hamilton Centre, come to order.

LOI DE 1997

ABROGEANT LE PROJET DE LOI 160

BILL 160 REPEAL ACT, 1997

M. Pouliot propose l'adoption du projet de loi suivant :

Loi visant à protéger l'éducation de nos enfants et à défendre la démocratie locale / An Act to Protect our Children's Education and Defend Local Democracy.

The Speaker (Hon Chris Stockwell): Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

Call in the members. This will be a five-minute bell.

The division bells rang from 1438 to 1443.

The Speaker: All those in favour, please rise one at a time to be recognized by the Clerk.

Ayes

Agostino, Dominic	Cullen, Alex	Martin, Tony
Bartolucci, Rick	Curling, Alvin	McGuinty, Dalton
Bisson, Gilles	Duncan, Dwight	McLeod, Lyn
Boyd, Marion	Gerretsen, John	Miclash, Frank
Bradley, James J.	Gravelle, Michael	Morin, Gilles E.
Brown, Michael A.	Hoy, Pat	North, Peter
Caplan, David	Kennedy, Gerard	Phillips, Gerry
Castrilli, Annamarie	Kormos, Peter	Pouliot, Gilles
Christopherson, David	Kwinter, Monte	Pupatello, Sandra
Churley, Marilyn	Lalonde, Jean-Marc	Ramsay, David
Cleary, John C.	Lankin, Frances	Ruprecht, Tony
Colle, Mike	Laughren, Floyd	Sergio, Mario
Conway, Sean G.	Lessard, Wayne	Silipo, Tony
Cordiano, Joseph	Marchese, Rosario	Wildman, Bud
Crozier, Bruce	Martel, Shelley	Wood, Len

The Speaker: All those opposed, please rise one at a time to be recognized by the Clerk.

Nays

Amott, Ted	Hamick, Charles	Runciman, Robert W.
Baird, John R.	Hastings, John	Sampson, Rob
Barrett, Toby	Hodgson, Chris	Saunderson, William
Brown, Jim	Hudak, Tim	Shea, Derwyn
Carr, Gary	Jackson, Cameron	Sheehan, Frank
Carroll, Jack	Johns, Helen	Skarica, Toni
Chudleigh, Ted	Johnson, Bert	Smith, Bruce
Clement, Tony	Johnson, David	Snobelen, John
Cunningham, Dianne	Jordan, W. Leo	Spina, Joseph
Danford, Harry	Klees, Frank	Sterling, Norman W.
DeFaria, Carl	Leach, Al	Stewart, R. Gary
Doyle, Ed	Marland, Margaret	Tascona, Joseph N.
Ecker, Janet	Maves, Bart	Tilson, David
Elliott, Brenda	Munro, Julia	Tsubouchi, David H.
Fisher, Barbara	Murdoch, Bill	Tumbull, David
Flaherty, Jim	Mushinski, Marilyn	Vankoughnet, Bill
Ford, Douglas B.	Newman, Dan	Villeneuve, Noble
Fox, Gary	O'Toole, John	Wettlaufer, Wayne
Froese, Tom	Ouellette, Jerry J.	Wilson, Jim
Galt, Doug	Palladini, Al	Witmer, Elizabeth
Gilchrist, Steve	Parker, John L.	Wood, Bob
Grimmett, Bill	Rollins, E.J. Douglas	Young, Terence H.
Guzzo, Garry J.	Ross, Lillian	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 45; the nays are 68.

The Speaker: I declare the motion lost.

MOTIONS

1450

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): In the spirit of Christmas, I put forward the following motion:

That, notwithstanding order 96(d), Mr Wettlaufer, Mrs Fisher and Mr Gilchrist exchange places in order of precedence for private members' public business such that Mr Wettlaufer assumes ballot item 5, Mrs Fisher assumes ballot item 95 and Mr Gilchrist assumes ballot item 2; and

That Mr Newman, Mr Hampton and Ms Churley exchange places in the order of precedence for private members' public business such that Mr Newman assumes ballot item 15, Mr Hampton assumes ballot item 4 and Ms Churley assumes ballot item 88, and

That, notwithstanding standing order 95(g), the requirement for notice be waived with respect to ballot items 1, 2, 3, 4, 5 and 6.

The Speaker (Hon Chris Stockwell): Is it the pleasure of the House that the motion carry? Carried.

OPPOSITION DAY MOTION

The Speaker (Hon Chris Stockwell): Let me just take this opportunity to do a couple of housekeeping issues. Members will be aware that there appears in today's orders and notices paper notice of an opposition day standing in the name of Mr Hampton. Since the date specified for consideration of the motion falls within the last eight sessional days set out in standing order 6(a)(2), the notice is therefore out of order, pursuant to standing order 42(l)(ii), and shall be removed from the orders and notices paper.

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): Notwithstanding the standing orders and your rule to move this out of order, I would ask for unanimous consent to allow the order to stand and that the opposition debate takes place on Monday next.

The Speaker: Agreed? Agreed.

VISITORS

The Speaker (Hon Chris Stockwell): I would like to inform the members of the Legislative Assembly that we have in the Speaker's gallery the portfolio committee on private members' proposals and petitions from the Parliament of the Republic of South Africa. Welcome.

ORAL QUESTIONS

EDUCATION REFORM

Mr Dalton McGuinty (Leader of the Opposition): I have a question for the Premier. Perhaps the House leader could tell me whether he will be back.

The Speaker (Hon Chris Stockwell): He is not here. He is not returning.

Can you restart the clock, please.

Mr McGuinty: We'll go to the Minister of Education then, Speaker.

Earlier today, Minister, you will know that I acted to delay passage of Bill 160 until Monday, the week coming. I have done that because the only conclusion I can draw from the fact that you want to proceed with this bill and that your caucus members want to proceed with this bill is that they have not heard what is going on outside of this place when it comes to that bill. I can only conclude that people in your caucus have not attended protests, have not attended rallies, have not listened to the mail they have been receiving, have not been reading their faxes.

What I have done is I have created the opportunity for you to listen to the people and I want to ask you very directly, Minister, will you take the time over the next three days to listen to the people of the province who are, by an overwhelming majority, saying they want nothing to do with Bill 160 and they want you to vote against it?

Hon David Johnson (Minister of Education and Training): I'm not terribly surprised that the Liberal Party would wish delay. That is a general approach of Liberal policy: having a difficult time making decisions, the tough decisions we have to make.

The reality is that this bill has received careful consideration over a long period of time, dating back to last year: For example, the Sweeney report, a former Liberal cabinet minister asked to look into various education issues by the previous government, said "Get on with action"; the report around Bill 100; the consultations with the teachers' unions; the public consultations that have taken place across the province where far in excess of 200 people made presentations; letters that have come in.

This caucus has listened; this government has listened. It's time to get on with improving the education system in Ontario.

Mr McGuinty: Minister, I'm not only going to give you the opportunity now for the next three days to listen to people outside of this Legislature; I'm going to give you the opportunity to listen to some of the things that have been said by members of your own caucus.

In fact, you yourself said you are not in favour of taxation by way of regulation. This is unprecedented. We have the minister responsible for a bill — you've got carriage of this bill and you were openly criticizing it. Furthermore, members of your own caucus have been telling us that they are very uncomfortable with the punitive action

you've taken towards our principals and vice-principals. Furthermore, the Premier himself said several years back that he shuddered to think of what would happen if the provincial government ever took control of education in Ontario. You've got the opportunity now not only to listen to people outside but to listen to people inside your own caucus.

Once again, will you take advantage of these three days and do just that: listen to people on the outside and people inside your own caucus?

Hon David Johnson: This government and this caucus will be supporting Bill 160 because we support improvement in the education system, we support greater accountability within the education system and we support that there should be a tax freeze on the taxes going to the education system.

We do listen. I listened to a parent from Toronto who says, "This parent supports Bill 160 and the education changes." I listened to another parent from Ottawa who says, "I support the government's efforts to make changes in the education system." Another one from Napanee: "Please hold the course on Bill 160. You're doing a good job."

Parent after parent, year after year, has been telling this government and previous governments, "Improve the system, get on with the changes, ensure efficiency, ensure value in the education system," and that's exactly what we're going to do.

Mr McGuinty: You will know that since becoming leader of my party, I have made great efforts to put children on to the political agenda. The watchword when it comes to Ontario's children is, "Take care," but you are rushing this.

There are only three days of debate. You're not listening to what your own caucus members are saying. You're not listening to the groundswell of opposition that has arisen in this province.

What I'm asking you to do once again is to take advantage of the opportunity. I challenge you, Minister, and I challenge all the members in your caucus: This weekend, go into your community centres, go into the doughnut shops, go into the shopping centres and ask people whether they feel we can honestly improve education in Ontario by taking another \$700 million out of the system and laying off thousands of teachers.

If you ask those questions, you know what the answer is going to be. People are going to tell you to come back to this Legislature on Monday and vote against Bill 160. Will you do that? Will you go out and listen to people?

Hon David Johnson: The people of Ontario have spoken through the years about education, about their desire to see a better curriculum, standardized testing, a standard report card, about ensuring that their children have the same opportunities in our education system as children do in other provinces, the same amount of class time, a limit on class sizes, which is what Bill 160 does. It puts a limit on the average class size in each board. That's exactly what it does.

The Education Improvement Commission has had a process, a consultative process, through the previous government, the Royal Commission on Learning, the Fair Tax Commission; report after report and millions upon millions of dollars spent on consulting over the years, some 24 reports over the last several years on education and improving the education system. It's time to get on and do the job, improve the system and give greater value to the taxpayer.

The Speaker: New question; leader of the official opposition.

Mr McGuinty: My question is to the Premier. You will know that your government has been criticized on a number of fronts, but none more frequently than for the fact that you are going too far and you are going too fast. The same can be said of your Bill 160.

Here's another reason you should be slowing down, taking the time to get it right: Your bill, as you know, is going to be the subject of at least three constitutional challenges. I'm going to ask you, Premier, if you will commit now that rather than proceed with Bill 160 on Monday or any day thereafter, you will first make a reference to the Ontario Court of Appeal. Judge MacPherson himself, the judge who sat on the issue of the injunction that you sought and failed to obtain here in Ontario, said that at the very least, when it came to the constitutionality of Bill 160, Bill 160 was suspect. I am asking you if you will not now, in order to avoid delay down the road, make a reference of Bill 160 to the Ontario Court of Appeal so we can determine whether it is in fact lawful.

Hon Michael D. Harris (Premier): The lawyers we consulted certainly believe the bill is entirely constitutional. More important, the people we are talking to believe the reforms in education that we are implementing are essential, and perhaps just as significant, Bill 160, which protects the classroom, is even more essential. So no, we do not plan to refer our own legislation for a court ruling. We are quite satisfied that it is constitutional.

1500

Mr McGuinty: I am delighted to hear that the Premier has obtained some legal opinions on this. I will ask him to, as soon as possible but certainly by the end of the day, table those opinions so we can see them.

A number of legal challenges are going to be started as soon as this Bill 160 becomes law in Ontario. We know that the Ontario Catholic teachers are going to challenge Bill 160 on the basis that it attacks their right to govern their own system. We know that the OSSTF is going to attack it on the basis that it constitutes taxation without debate, taxation by means of regulation. We know that the public school boards and parents have already said that you should be referring this to court in order to determine whether it really is lawful. Principals and vice-principals, we know, right now are considering whether they ought to attack it on the basis that it interferes with their right to associate.

Once again, Premier, even from a taxpayer's perspective, does it not make sense now, rather than to fight off all kinds of constitutional challenges at tremendous cost to

taxpayers down the road, to make a reference to the Ontario Court of Appeal just to ensure that this bill is in fact lawful?

Hon Mr Harris: I would like to agree with the leader of the Liberal Party. It makes absolutely no sense to be spending all this money in court that those who appear to want to do. There are some people who will do everything to hang on to the status quo: an \$11-billion deficit, test results that are mediocre or worse. There are even leaders who will go on a picket line and encourage an illegal strike. There are leaders, even when teachers want to go back into the classroom, who will stand up and say, "Stay out on this illegal strike longer, to hang on to that \$11-billion deficit, that status quo of an inferior education system for our children."

While there are some wanting to hang on to that status quo that led to double-digit unemployment, that status quo that led to the highest number of people per capita dependent upon welfare, neither I nor our minister nor our cabinet nor our caucus nor our party are part of that group that want to hang on to the disgraceful status quo that we inherited in June 1995.

Mr McGuinty: Believe me, we all know what you want to do when it comes to education. You want to take another \$700 million out of the system at the expense of our children and you want to lay off thousands of teachers so there are fewer left to teach our children. That's exactly what you want to do when it comes to Bill 160.

Perhaps the most offensive aspect of Bill 160 is those 13 areas where either the minister or the Education Improvement Commission will have unlimited, unchecked power. The last time I checked in Ontario this was a democracy, and it's a system that works well because it's based on checks and balances. But this power that you're giving to the minister and to the Education Improvement Commission is going to go unchecked. Surely, Premier, you are not comfortable knowing that the next Minister of Education in the next government is going to have these powers. Surely you're not comfortable with that notion.

Once again, in the interests of our children, understanding that the overwhelming majority of Ontarians are against your bill, will you not refer 160 to the courts to make sure it's lawful before it becomes the subject of a challenge?

Hon Mr Harris: Given that the rhetoric in the preamble you presented to me is entirely untrue, no.

The Speaker: Premier, you must withdraw that. You can't accuse the member of —

Hon Mr Harris: I withdraw.

ACADEMIC TESTING

Mr Howard Hampton (Rainy River): My question is for the Premier. About a week ago you were quoted as saying, "Some of our people who are studying at universities are studying programs that have very little hope of contributing to society in any meaningful way." That's a quote of yours. You referred to geography majors, that

anybody studying geography should probably get out of it, that they won't be able to make a contribution.

Your Ministry of Education during the recent teachers' protest circulated some lessons on the Internet for parents. One of the interesting ones — this is a reading lesson — tells the story of a student who travels from Toronto to Winnipeg. It says he's travelling along the north side of Lake Superior travelling west, and he eventually gets to Sault Ste Marie. This is a map of Lake Superior. You can't get to Sault Ste Marie going north of Lake Superior.

Do you still think that the study of geography is irrelevant in Ontario's schools?

Hon Michael D. Harris (Premier): No.

Mr Hampton: I draw your attention to that example because the reality is that there are a whole bunch of things happening in your Ministry of Education that, just like that example, don't make any sense.

Your Ministry of Education has been talking about educational testing and recently you released the results for schools. We looked at those results and were astounded to find that where a student wasn't at school that day they were given a zero in the test, or where it was a special circumstance and the student was exempted from the test they were given a zero in the test. But what really is galling is that your government then added in those zeroes to the class average. In other words, you could have a class of students who got 95s, but because eight students were away that day the class average was lowered by all those zeroes. Premier, do you think this is a fair and accurate way to represent these results to the people of Ontario?

Hon Mr Harris: The Education Quality and Accountability Office, which was recommended by the royal commission and supported by your party, is at arm's length from the government and is set up for those purposes. If you have evidence and do not trust, even as the teachers' unions have said they do, the arm's length, the quality, the ability of this organization, then we'd be delighted to receive any evidence you have to improve it. I know, at least I felt, given the royal commission and your party's support for testing, for making sure that we are testing results, that you would be supportive of that. But if you want to point out examples that clearly show there's a need for improvement in the education system, we agree.

Mr Hampton: Premier, I believe testing is a part of the school system. I also believe, Premier, that accurate representation of the results are part of honest government. For your government to go out there and to malign the students of Ontario without telling people that you took students who were away from school that day and gave them a zero, and students who were exempted from the test for whatever reason, you gave them a zero; then you added that into the class average to artificially lower the students' results; then to go around Ontario and say that Ontario students are mediocre is a gross misrepresentation of the truth.

I ask you, Premier, in the future is your government going to fairly represent the results of our students? When the tests are given next year, are the results going to fairly

and accurately represent the results of the students and you're not going to give students who are away that day a zero and add that into the class average?

The Speaker (Hon Chris Stockwell): Hold on. Leader of the third party, you must withdraw the comment about gross misrepresentation of the truth. You must withdraw it.

Mr Hampton: I withdraw that particular comment.

The Speaker: Thank you. Premier.

Hon Mr Harris: We don't report the results. Those are reported by the independent organization. We receive them from them, as you do, as the public do. We were disappointed in the results but we're certainly not disappointed in our students. Never have you ever heard anybody on this side of the House malign students, teachers, those involved in the classroom. I have to say that —

Interjections.

Mr Rosario Marchese (Fort York): You see how they slither.

The Speaker: Order. Member for Fort York, I don't particularly find that language terribly parliamentary. I ask you refrain from using it. Premier.

Hon Mr Harris: We have consistently, and I have consistently, said that we have students who are quite exceptional and we have teachers who are quite exceptional. That's why it's so disappointing, when we spend as much or more money than any other jurisdiction, that we don't have results. The results are not acceptable. We have a system that is blocking dollars and money from getting into the classroom, from improving quality of education. For you to stand in your place because the leader of the Liberal Party outpicked you in the recent demonstration is an absolute disgrace.

1510

EDUCATION FINANCING

Mr Howard Hampton (Rainy River): To the Premier again, the only disgrace around here is a government that would knowingly distort the results and then misrepresent those results to the people of Ontario and mostly to the children of Ontario.

The Speaker (Hon Chris Stockwell): You cannot accuse the government of distorting results and then misrepresenting them. Leader of the third party, you must withdraw those comments. You can't do it.

Mr Hampton: I withdraw that comment, Speaker.

My second question for the Premier is this: Your government is creating a stub year. In your changes to education you're going to create a stub funding year from January 1998 until September 1998. Your ministers have said that you're guaranteeing funding for the stub year. We received a report from 11 educational finance officials who have done a survey of all the boards, and their survey indicates that in fact your government is not giving them stable funding; in fact you're cutting funding in the stub year by \$220 million, or 11%, for each board.

Premier, are you aware that your government is now doing this, despite your promise to provide stable funding?

Hon Michael D. Harris (Premier): I know the minister —

The Speaker: Minister of Education.

Hon David Johnson (Minister of Education and Training): We have in fact guaranteed stable funding to the school boards from January 1 through to September 1. The letter from the school representatives has been taken into account.

The Ministry of Education went through a long process of talking with business officials, and other consultations, through the summer and through the fall. The stub year funding hasn't been fully resolved or announced yet. The comments of those individuals are being taken into account.

The previous minister has guaranteed, and I have guaranteed, stable funding involving the grants, and the taxation that they have received in 1997 will carry forward into 1998.

Mr Hampton: These are 11 education finance officials who work for, among other things, the West Parry Sound board — I wonder who the MPP is for West Parry Sound; an educational finance official for North York; for Ottawa; for Simcoe; for Windsor. They're a broad cross-section. They've looked at the numbers and they have concluded that you're cutting. You're cutting in that stub year \$220 million from school boards, which is an 11% cut.

Even worse, boards that saw this coming and budgeted some of their reserves to take the place of what they thought you might cut are going to be cut as well. So not only are you going to cut across the board, but you're going to go after those boards which saw it coming and which have tried to use their reserves. What that means is you're going to force them to actually go into the classroom over the next seven months and take out money.

Minister, how can you be doing this when you've told people there's going to be stable funding? None of these people believes a word you've said, because they've gone out there and they've done the survey.

Hon David Johnson: This is all conjecture, as usual, on behalf of the leader of the third party. The school boards have not received their final numbers for the stub year. They will be receiving those numbers in the near future. The minister has advised that for the 1997-98 school year, the year ending August 1998, the government will continue to provide in grants and taxes the level of funding the system was receiving in 1997. That's being worked out at this precise instant. Anything else is complete conjecture.

Anybody can imagine what they may or may not be about to receive and complain on the basis of something they may or may not think they're going to get in the future, but I can tell you that they have been guaranteed in grants and taxes the same moneys in 1998 as they received in 1997. Those numbers will be released in the very near future.

Mr Bud Wildman (Algoma): Here's the bottom line from the ad hoc committee on stub year funding:

"The ministry model will not generate stable funding for the stub year. Any shortfall will result in deficits, which in turn will further decrease the funding available for the 1998-99 fiscal year."

That's a quote from the ad hoc committee of these education finance officials.

The committee is asking for two things. They're recommending the ministry make a funding commitment based on the estimated costs for the first eight months of next year, allowing for existing programs and services to continue unimpeded without cuts. Second, they recommend the ministry establish a working group of senior finance officials from boards to help develop the funding model that will ensure stable funding as promised by the government.

Will the minister honour the commitment of his party not to cut classroom funding — at least now, after he's made the cuts before — and accept these recommendations and act on them immediately?

Hon David Johnson: Once again, the ministry officials are working with various officials, various school boards across the province of Ontario. They've gone through a lengthy consultation period. They met very extensively, particularly in the summer but the consultations have carried through into the fall, with these very same and more officials of school boards right across Ontario. These matters are being worked out as we speak. The exact numbers are being created. The school boards can be guaranteed —

Interjections.

The Speaker: Order. Minister.

Hon David Johnson: The school boards are guaranteed to have the same amount in grants and taxes as they had in 1997 right through into 1998. They will have those numbers in the very near future and they will see that we have lived up to the promise to give them that stable funding right through to September of next year.

CLASS SIZE

Mrs Lyn McLeod (Fort William): My question is for the Minister of Education. I hope you and the members of your caucus will take time over the next three days to truly hear the concerns that people have been raising about Bill 160.

I trust that before the day is out we will see the legal opinions that the Premier has been quoting from that attest to the supposed constitutionality of this bill, because I fear that you are on the verge of passing a bill that will give you total control of education. You will have control over all educational funding; you will control everything from the educational leadership of our schools to how boards are run to whether students can stay in their community schools. You are going to control by law and through your funding the size of classes that our students are in.

Minister, you have tried to claim that you need to control the class size because class sizes have been increasing as a result of teacher negotiations. You have spun that idea, even though it is not backed up by fact, because you

want people to believe that when you take control, class sizes are going to go down.

Minister, can you guarantee that when you take control, our students will no longer be in classes of 35 or 38 or 40?

Hon David Johnson (Minister of Education and Training): The government, through the bill, has guaranteed a maximum average class size in the elementary system and the secondary system — read the bill; that's exactly what it says — for every board across the province. Over the past seven years, for example, the average elementary class size has been increasing year by year, each and every year since 1991. Each and every year the elementary class size has increased in the province of Ontario. That has to stop.

The unfortunate part is that yes, there have been some negotiations with the unions which have resulted in increased class size. The member from the Liberal Party may think that's acceptable, may wish not to recognize that fact, but it has happened. It's unacceptable, and Bill 160 puts a stop to it.

1520

Mrs McLeod: I don't think that what's happening in terms of the sizes of our classes today is acceptable, and this minister knows that Bill 160 does not lower the class size from what it is today. Your Premier likes to condemn the status quo; your Bill 160 freezes in law the status quo, with your average class size. That means there will still be classes of 38 and 40, and it means that in some cases class sizes are going to go up, not down, and that is fact in your bill.

You also know, Minister, that we are going to see 25,000 more students come into the system next year and every year after that, and you know your ministry has said there will be no new funding for those 25,000 students. You're taking money out of education; you're not putting money into it; and you know that your bill guarantees there will be fewer teachers.

Minister, you cannot lower class sizes when you are freezing the status quo, when you are bringing 25,000 more students a year into the system, when you are taking money out and when you are having fewer teachers. Tell me again: Can you guarantee there will be no students in classes of 38 or 40 when you're in total control?

Hon David Johnson: There are any number of myths that the opposition would care to spin. The bill guarantees that the average class size will not exceed 25 in the elementary, 22 in the secondary. It's the first time in the history of the province that a government has had the nerve to step in and say, "We cannot tolerate increasing class sizes." I would say that the people of Ontario would say it's long overdue.

They would also say that it's long overdue that we step in and make some sense of the financial situation of education in the province. There's a myth being perpetuated by the Liberal Party —

The Speaker (Hon Chris Stockwell): Answer, please.

Hon David Johnson: — that this bill will jack up property taxes. In fact, this bill will ensure that property taxes and the taxation into the system is —

The Speaker: Thank you. New question, third party.

EDUCATION FINANCING

Mr Gilles Bisson (Cochrane South): My question is to the Minister of Education. Minister, you would know that local boards spent close to \$2.1 billion of their own money raised through their local tax base to pay for local base programs that are important to local communities. As everyone knows, your government is going to assume complete control of education in the upcoming year.

I'm asking you this question directly: Are you going to give local boards back the \$2.1 billion of unrecognized expenditure or are you going to take it away from them to pay for your silly tax break?

Hon David Johnson (Minister of Education and Training): Every dollar collected locally will stay at the local level. Every dollar collected within every board across Ontario at the local level will stay right in that system. Through the funding formula, there will also be funds coming from the provincial government, funds which establish a fair and equitable approach right across the province to ensure that every child in every system has a fair amount of money and that their education is of the same high quality as every child right across Ontario.

Mr Bisson: That's a separate issue. You don't seem to understand. Boards of education across this province raise dollars through their own tax base to pay for programs. For example, in the city of Timmins adult education is paid through the local levy, not by the province. Junior kindergarten is paid by the local tax levy, not by the province, because you've taken the funding away.

Once you remove that unrecognized expenditure by taking the money back from the municipality on to the province, what's going to happen to those programs? That's the question. Will the people in the city of Timmins and across this province keep on getting those programs that their boards put in place that are important to them such as adult education and junior kindergarten that are paid through the local tax levy? Would you answer the question, please.

Hon David Johnson: Every nickel collected in Timmins will stay in Timmins. Every nickel collected in Sault Ste Marie will stay in Sault Ste Marie. Every nickel collected in Metropolitan Toronto will stay in Metropolitan Toronto. At the same time, the funding formula will ensure that there is a provincial contribution to the education system that will guarantee that every child in the province has fair funding, the same funding as all other children get across Ontario to have the excellent, quality programs that each and every child deserves.

COMMUNITY HEALTH SERVICES

Mr Garry J. Guzzo (Ottawa-Rideau): My question is for the minister responsible for seniors and long-term

care. Minister, you attended the opening of the Ottawa-Carleton Community Care Access Centre some two weeks ago and there you heard a request from the CCAC for more funding, one my colleague and I received by news release some two days earlier. On Tuesday of this week the Ottawa Citizen said, "People in Ottawa-Carleton will have confidence in the restructuring of the region's hospitals only if there is a strong safety net of community health services." Given the deep concern of Ottawa residents, can you assure the House that the home care funding in Ottawa-Carleton will continue to meet the growing demand?

Hon Cameron Jackson (Minister without Portfolio [Seniors Issues]): I did go to Ottawa a week ago to sit down with community leaders and service providers to talk about the situation in Ottawa. As you know, this government inherited a patchwork of service delivery, of overserviced and underserviced areas. In fact, some parts of this province were receiving four times as much servicing for community-based supports as other parts.

When I was in Ottawa, I reviewed the statistical base on which the previous government in its dying days red-circled or determined that Ottawa was an overserviced area. I spent a considerable amount of time examining service delivery systems in the Ottawa area. I want to remind members that we are spending a considerable amount of money in the Ottawa area and we're encouraged by the strength of the commitment that we've made: \$13 million in community support services; \$62 million in nursing home and municipal homes for the aged and another \$66 million in community care access. That's \$140 that is being spent in services in the Ottawa area right now.

Mr Guzzo: Minister, the new community care access centre in Ottawa-Carleton is the largest in the province. It's located just a seven-iron shot away from the home of our illustrious Prime Minister and it's just down the road, a three-iron shot, from the office of the federal Minister of Health. Members of the third party should take notice of this because these two gentlemen have been directly responsible for cutting \$2 billion from health care transfers to the province of Ontario. These two gentlemen move through the Ottawa area paying lip-service to home care. They're suggesting more money should be provided to study the problem while we spend \$2.2 million a day providing the service.

Interjections.

The Speaker (Hon Chris Stockwell): If we just let him finish, we may hear it.

Mr Guzzo: Minister, would you just care to bring the House up to date in the province as to how the behaviour of those two gentlemen will affect the operation of the care centre in Ottawa-Carleton.

Hon Mr Jackson: First of all, I think the member in his question has given a lot of the information about the \$2 billion in cuts from the federal government and their impact on the frail elderly and the disabled in this province in terms of receiving adequate health care services.

But I remind members that the home care program in this province was not adequately managed to the extent that budgets were being spent a year before they were ever even approved by the previous government. This government has moved decisively to put an accountable framework of community-based support services known as community care access centres.

I believe we have a very strong, competent public board in the Ottawa area with a deep sense of commitment to their community and their ability to manage case management and review files that haven't been examined in six, eight months and a year. We will be able to assure that all the citizens of Ottawa-Carleton who need services will receive services, but they won't receive them any longer than they need them. On that basis, it's clear that this government is better managing the health dollars that we have in spite of the cuts from the federal government.

1530

CLASS SIZE

Mr Rick Bartolucci (Sudbury): My question is to the Minister of Education. In an earlier answer to our critic, you indicated that class sizes have grown over the course of the last seven years. In reality, using your statistics, we find out that class sizes have skyrocketed over the course of the last two years. The reason is simple: You've cut operating funding to boards, the student population has increased, and therefore classrooms have had to be cut, which means that there are going to be larger class sizes.

In response to our critic, you said that with Bill 160 class size will continue to grow, that in effect there will be classes of 34, 35, 36, with your cap of 25 in the elementary section and 22 in the secondary section. Am I to understand that that in fact is so, that class size will grow because of Bill 160?

Hon David Johnson (Minister of Education and Training): First of all, let me say that there's never been more money going into the elementary and secondary school system as there has been this year, 1997: \$14.4 billion from all sources — provincial, municipal, other revenues; never more money than in 1997.

Second, I think the member opposite is pretty clear what we've done in the bill. We've said we can no longer tolerate increasing average class sizes across the province. They've been going up in the elementary system year by year for the last seven years. That has to stop. We have put right into the bill, right into the legislation, a maximum of 25 in the elementary system and a maximum of 22 in the secondary system. Any board that has an average above that amount must bring it down to at least that average; no higher.

Mr Bartolucci: I take it from your answer that classroom sizes are going to grow. That's bad, but it's even worse in the face of the opportunity you had. You had an opportunity to cap and protect class sizes in a meaningful way with my bill, Bill 110. My numbers were based on seven years of provincial averages, seven studies, and countless focus groups involving all partners of education.

You chose not to call my bill before committee. You failed to provide a cost estimate of my bill in response to an order paper question. In reality, you chose to ignore my bill. In short, my bill guaranteed class sizes would be protected and limited in each classroom of Ontario. Can you give the people of Ontario that assurance with Bill 160?

Hon David Johnson: I only wish that the Liberal government between 1985 and 1990 had the same enthusiasm for reform as the member opposite. I hope, because of the enthusiasm of the member opposite, that he's prepared to support Bill 160, which indeed does put a cap on the average class size, which indeed does ensure that our students have the same number —

Interjections.

Mr Bartolucci: On a point of order, Mr Speaker: I apologize for rising on a point of order, but the member for Kitchener continually and constantly refers to me as the member from OECTA. Might I inform him, Speaker, that I am the member for Sudbury but I am proud to be a member of the Ontario English Catholic Teachers' Association.

The Speaker (Hon Chris Stockwell): I will say to the member for Sudbury, I did not hear him say that. If he did say it, it is out of order and he can always have the opportunity to withdraw.

Mr Wayne Wettlaufer (Kitchener): On a point of order, Mr Speaker: I have never used those words with him, here or anywhere else.

Mr Bartolucci: On a point of order, Mr Speaker: It is constant. We could have so many witnesses that say he has on repeated occasions. I don't want to get into it, Speaker, but I am the member —

The Speaker: Minister.

Hon David Johnson: I guess it shows that sometimes there is selective hearing in this House. I will say that I'm very happy that the member for Sudbury is very excited about education reform. I invite him to join us in support of Bill 160, which gives our students more instructional days: 10 more instructional days at the secondary level, five more instructional days at the elementary level; which allows qualified individuals to come into the class to complement our teachers, for example.

This bill is about quality, it's about accountability and it's about efficiency. I think the member for —

The Speaker: Thank you. New question. Leader of the third party.

EDUCATION REFORM

Mr Howard Hampton (Rainy River): A question for the Minister of Education. Over the last few weeks I visited a number of communities across northern Ontario to talk to people about health care, about education, about downloading. The issue that everyone comes back to is education. For example, last week I was in Sioux Lookout and I was in Kenora. People have done their own surveys in their own communities. They know how many places have been lost in junior kindergarten, they know that the

cuts have happened in adult education, they know about what has happened in special education. They also know from their own educational finance officials what has happened in terms of their funding.

The Speaker (Hon Chris Stockwell): Question, please.

Mr Hampton: What they want to know is this: Will you suspend Bill 160? Will you go back and do an honest consultation with —

The Speaker: Thank you.

Hon David Johnson (Minister of Education and Training): We're very delighted to have the media reports of the meeting in Sioux Lookout, where apparently — the headline says, "Hampton Sioux Hiatus Barely Draws Flies." "Hampton also alerted the crowd of 10 to the negative effect property assessment will have on property taxes."

Notwithstanding that this may have been a little bit overbuilt by the leader of the third party, I would say there are people right across Ontario, in Sioux Lookout, in communities all across Ontario, who are concerned about the education system. Obviously, yes, some people are concerned about Bill 160. There's no question about that. But I think it shows that no matter where you live in Ontario you feel strongly and sincerely about our education system. It is the future of the province of Ontario.

It is my belief that people want to get on with reform, that people have been speaking for the kind of things we are including in our general reform and specifically in Bill 160. The government does intend to move forward with that.

The Speaker: Supplementary.

Mr Bud Wildman (Algoma): The people of Ontario want education reform, they want quality education for their students, but they do not want cuts, and Bill 160 is about cuts to the classroom. It's about stripping teachers of preparation time. It's about taking principals and vice-principals out of the teachers' federation. It's about cutting special education and other programs. That's what your Bill 160 will do. That's why you want to centralize.

Our party has joined with parents across Ontario to campaign for a referendum on Bill 160. We're following the Conservative rules that if 10% of the electorate sign petitions requesting a referendum, then there should be a referendum on Bill 160; you should call one.

Will the government make a commitment now? Will the minister come clean and say that the government will hold a referendum on Bill 160 if 10% of the electorate petition for such a referendum? Will you have a referendum on Bill 160?

Hon David Johnson: The greatest referendum of them all is the election. We had the general election in 1995. Education —

Interjections.

The Speaker: Order. Minister?

Hon David Johnson: A parent from North York says: "This government was democratically elected, and part of its mandate was to reform the education system. To date, this government has exceeded my expectations." On and

on: a parent from Toronto saying, "I urge you to stand by your convictions"; a parent from Kitchener who says, "Please do not waver in support of this bill."

The people of Ontario have been consulted year after year about the education system. They want reform. They want our students to have the same opportunity as students in other provinces and they want to see reform of the finances of the education system. We intend to proceed.

TVONTARIO

Mr Douglas B. Ford (Etobicoke-Humber): My question is for the Minister without Portfolio with responsibility for privatization. My question is about the review of TVOntario by the Office of Privatization. When you announced the review of TVOntario last June, you said a business review would be conducted and public input would be considered. I know your office has received public input on TVOntario, as I have shared the views of my constituents with you. That being said, I was pleased to hear that you have appointed a panel to conduct public meetings on a review of TVOntario, as this provides an additional opportunity for the public to provide their feedback.

I understand that the well-attended meeting in Toronto involved constructive discussion, but there have been questions regarding the format of the meetings. Would the minister please describe the format and the purpose of these meetings?

Hon Rob Sampson (Minister without Portfolio [Privatization]): When we set up the privatization review process, we agreed that Ontarians should have a role to play as we review the assets and the businesses that governments are involved in to try to get an understanding of whether there's a different way in which we can deliver those services.

As part of the review process and as part of the attempt to get some input from Ontarians, we appointed a panel to hold meetings across Ontario. Meetings have been publicized. The panel is looking for answers to questions such as: How do Ontarians use TVOntario? What do they value about TVOntario currently? What is the government's role in developing and delivering education programming in this province? These are very valid questions that haven't been asked by any of the previous governments as it relates to this asset since the business of TVOntario was created.

The Speaker (Hon Chris Stockwell): Answer, please.

Hon Mr Sampson: The panel put together asked these questions. You're right, a lot of people have come forward to give their suggestions to us so that when we come forward with our recommendations —

The Speaker: Thank you.

Mr Ford: On that note, let me inquire further: Could the minister please describe what other opportunities there are for the public to provide input if they're unable to attend the community panel meetings? Would the minister also describe the next steps in the process and inform me

when the community forum panel will be submitting its report.

Hon Mr Sampson: As I said in my first answer, the community forum process is just one mechanism that we are asking Ontarians to use to provide us with their opinions. We're getting letters, we're getting phone calls and phone messages through a toll-free number process. They are sending in letters to my office, to the privatization secretariat's office. We have extensive consultations with the community representatives of TVO. These are people who represent the communities across Ontario that TVO delivers a signal to and in fact report through to the board. We are listening to the board and we are seriously considering their own privatization recommendation that was delivered to us about four months ago.

I say to the member, we are interested in hearing the views and input of Ontarians. That's why we designed a process that gave Ontarians a role to play, so we can have their input when we make the decisions.

1540

EDUCATION FINANCING

Mr Alex Cullen (Ottawa West): My question is to the Minister of Education. Earlier today we heard the minister talk about stable funding as a result of the transition with Bill 160. Today the people of Ottawa-Carleton woke up to the news that because of this government's new funding formula contained in Bill 160, up to 15 Ottawa schools could be closed. In addition, transportation could be cut to almost nothing, junior kindergarten probably eliminated, building and renovation projects will be put on hold and teachers and staff likely will lose their jobs. Minister, how can you defend these actions?

Hon David Johnson (Minister of Education and Training): I guess if there were any truth or fact involved, then I might feel in a position to defend it. But what we have guaranteed to the Ottawa board and to all other boards is that there will be fair and equitable funding which will focus on the classroom.

Interruption.

The Speaker (Hon Chris Stockwell): Order. Remove them from the gallery, please. Stop the clock.

Minister.

Hon David Johnson: Mr Speaker, my understanding is that there may have been a misinterpretation by the Ottawa board and that the staff of the Ministry of Education are discussing this matter with the Ottawa board.

The Ottawa board, as all other boards, will be guaranteed fair funding through the formula. It will focus in the class. It's the kind of funding that John Sweeney, a former minister in the Liberal ranks, is recommending whereby through his report he indicated that almost 50% of the funds for education were not being directed into the classroom. That's the kind of thing we're going to tackle and make sure the Ottawa board has the proper money to direct right to the students.

Mr Cullen: I listened to this announcement. I take it that it has to be an announcement by the minister that with

the new funding formula under Bill 160, the Ottawa board will actually receive grants from this government. The difficulty we have with the new funding formula is that they're short \$27 million because they're losing part of their property tax and they have not been receiving grants.

This is what leads the board, the director of education and the chair of the board to say today that 15 schools will close, that jobs will be lost and programs drastically cut. According to the Ottawa Board of Education chair, Ted Best, you will see cuts that will put this school board back into the stone age. He predicts there will be a blood-letting.

Minister, come clean with parents and teachers and students in Ottawa. How many schools do you plan to close in Ottawa?

Hon David Johnson: I think the member opposite knows that this government will not be closing any schools in Ottawa or anywhere else in the province.

What this ministry will be doing is ensuring that Ottawa, Metropolitan Toronto, Sudbury, St Catharines, all boards get a fair funding to establish the kinds of programs they need to establish. This funding formula is being worked on at this point in time. The moneys will focus into the classroom. The funding will recognize the accommodation needs, the student needs and the operational needs of all the boards right across Ontario.

1550

Mr Rosario Marchese (Fort York): My question is to the Minister of Education and Training. Yesterday and today we raised the question of the \$2 billion that are spent by local boards on programs that are not recognized by the province. What this means is that you, as a province, have no obligation to those programs — none. They include junior kindergarten programs, after-four programs, the paraprofessionals, continuing education programs, school community advisers in the Toronto Board of Education that facilitate direct parental and community involvement, psychologists and social workers who work with students who are in trouble. All these programs and all these people are there to help students and they're not recognized by you. You have no obligation to them.

My question to you is — and it appeared from your answer earlier that the focus is the classroom. I'm worried about your definition of what that means. All these boards run programs that are designed to help students and teachers. Are you taking \$2 billion away or are you putting those \$2 billion back into the classroom? What are you doing with that money?

Hon David Johnson: I indicated to the member for Fort York yesterday, I believe, and perhaps to his colleague today that this government is not taking any \$2 billion away from anybody. This government is ensuring through the funding formula that the curriculum needs in the classroom are going to be met. That's where the money should be focused: right into the classroom.

In terms of the curriculum, the mathematics and languages part of the curriculum has been developed at the elementary level. Over the next year, the rest of the curriculum for the elementary level and the secondary level

will be rolled out. It will be a more rigorous curriculum, and I can tell the member for Fort York in terms of his particular board, every nickel that's collected in Metropolitan Toronto, for example, which is the area he represents, will stay right here in Metropolitan Toronto.

BUSINESS OF THE HOUSE

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): I'd like to indicate the business statement for next week, pursuant to standing order 55.

With regard to Monday, this afternoon we will be deferring the vote on Bill 160, The Education Quality Improvement Act, so that the vote will be Monday at noon.

Mr John Gerretsen (Kingston and The Islands): Monday at 1:30.

Hon Mr Sterling: When the House meets, when deferred votes are taken.

Interjections.

The Speaker (Hon Chris Stockwell): It's the House business for next week. Are you done?

Hon Mr Sterling: I'm not done. I've just started. I was distracted because of the crossfire.

This afternoon we are going to be calling Bill 160, The Education Quality Improvement Act, and that vote will be deferred until the deferred votes are heard on Monday afternoon, December 1.

On Monday afternoon we'll be dealing with the NDP opposition day motion. In the evening we'll be considering Bill 152, The Services Improvement Act, for third reading. We expect to defer that vote as well to the next Tuesday, when the deferred votes are taken in the afternoon of Tuesday, December 2.

In the afternoon of Tuesday we expect to deal with Bill 161, The Fairness for Parents and Employees Act. In the evening we expect to deal with Bill 149, The Fair Municipal Finance Act, (No. 2), on third reading, and we expect to defer that vote until Wednesday, when the deferred votes take place at approximately 10 to 2 in the afternoon.

On Wednesday afternoon, we expect to deal with Bill 161, the Fairness for Parents and Employees Act, as well. In the evening, we will be dealing with a House calendar motion. If that finishes, which I fully expect it will with the cooperation of the other parties, Bill 108, the provincial offences act, will be called in committee of the whole House.

On Thursday, December 4, we have of course private members' public business, ballot items 1 and 2. In the afternoon, we will be dealing with Bill 164, the Tax Credits to Create Jobs Act, for second reading. In the evening, although that is far out, we will be calling Bill 139, the Fish and Wildlife Conservation Act, if the rest of the week is as successful as we hope it will be.

PETITIONS

EDUCATION REFORM

Mr Alex Cullen (Ottawa West): I have here thousands of petitions signed by residents in Ottawa-Carleton, in Gloucester-Nepean and Ottawa with respect to Bill 160.

"To the Legislative Assembly of Ontario:

"Whereas the Ontario government wants to take an additional billion dollars out of the education system this year and every year; and

"Whereas the Ontario government will remove up to 10,000 teachers from the classrooms across the province; and

"Whereas the Ontario government will have unbridled regulatory powers over public education; and

"Whereas the Ontario government wishes to remove the right to negotiate student learning conditions; and

"Whereas the Ontario government proposes to undermine shared decision-making among parents, students, educators, trustees and taxpayers;

"We, the undersigned Ontario residents, petition the Legislative Assembly of Ontario to withdraw Bill 160."

I affix my signature to it.

Mr Wayne Lessard (Windsor-Riverside): I have a petition that I believe is very timely. It's signed by several people from the city of Windsor. It says:

"Whereas the government of Ontario has not listened to the public on Bill 160; and

"Whereas the government of Ontario has chosen to overtly deceive the people of Ontario as to the true objectives of Bill 160; and

"Whereas we, the people, believe that no government has a mandate to act in isolation of the wishes of the electorate of this province and we have lost confidence in this government,

"We, the undersigned electors of Ontario, petition the Lieutenant Governor to dissolve the Legislature and call a general election forthwith."

ABORTION

Mr Jack Carroll (Chatham-Kent): I have with me today a petition to the Legislative Assembly of Ontario.

"Whereas the Ontario health system is overburdened and unnecessary spending must be cut; and

"Whereas pregnancy is not a disease, injury or illness and abortions are not therapeutic procedures; and

"Whereas the vast majority of abortions are done for reasons of convenience or finance; and

"Whereas the province of Ontario has exclusive authority to determine what services will be insured; and

"Whereas the Canada Health Act does not require funding for elective procedures; and

"Whereas there is mounting evidence that abortion is in fact hazardous to women's health; and

"Whereas Ontario taxpayers funded over 45,000 abortions in 1993 at an estimated cost of \$25 million;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to cease from providing any taxpayers' dollars for the performance of abortions."

I affix my name.

ORDERS OF THE DAY

Mr Bud Wildman (Algoma): On a point of order, Mr Speaker: I ask the indulgence of the House to have unanimous consent to split the time among the three parties.

The Speaker (Hon Chris Stockwell): Unanimous consent to split the time with all three parties. Agreed? No.

EDUCATION QUALITY IMPROVEMENT ACT, 1997

LOI DE 1997 SUR L'AMÉLIORATION DE LA QUALITÉ DE L'ÉDUCATION

Mr David Johnson moved third reading of the following bill:

Bill 160, An Act to reform the education system, protect classroom funding, and enhance accountability, and make other improvements consistent with the Government's education quality agenda, including improved student achievement and regulated class size / *Projet de loi 160, Loi visant à réformer le système scolaire, à protéger le financement des classes, à accroître l'obligation de rendre compte et à apporter d'autres améliorations compatibles avec la politique du gouvernement en matière de qualité de l'éducation, y compris l'amélioration du rendement des élèves et la réglementation de l'effectif des classes.*

Hon David Johnson (Minister of Education and Training): Mr Speaker, if this is the appropriate time, I want to indicate that the government intends to split its time between four members.

The Speaker (Hon Chris Stockwell): I need the four members.

Hon David Johnson: The Premier will be going first, I'll be going second, followed by the member for Peterborough and the member for Durham East.

Hon Michael D. Harris (Premier): I am pleased to rise today on what I believe will be an historic occasion for the future of this province, if members of the Legislature pass the reforms that are before us.

Interruption.

The Speaker: Can you clear the galleries, please. That gallery and that one too, please. Both galleries. Clear this gallery here, please.

The House recessed from 1604 to 1621.

The Speaker: Premier.

Hon Mr Harris: I am rising today on what I believe will be an historic occasion for the future of this province,

if members of this Legislature pass the education reforms before us.

Mr Bud Wildman (Algoma): Point of order, Mr Speaker.

The Acting Speaker (Mr Bert Johnson): The Chair recognizes the member for Algoma on a point of order.

Mr Wildman: With respect, I understand that Mr Speaker has vacated the chair and you have taken over, Acting Speaker, but I really do need some clarification with regard to the comments made previously by the Speaker re demonstrations in the gallery. Could you indicate whether the galleries have simply been cleared or whether they have in fact been cleared and barred until the passage and/or the vote on Bill 160?

The Acting Speaker: The galleries have been closed for the day.

Premier.

Hon Mr Harris: As I indicated, I believe it will be an historic occasion if members of the Legislature will pass the education reforms that are before us.

When this legislation is passed, I believe we will look back on that day, whenever that day is, as the day we turned the corner, the day when we began to turn around a decade-long decline in our education system.

Starting with the passage of this legislation will be a new beginning for our children to get the quality education they deserve. Starting then, the status quo of barely average results will be unacceptable for Ontario students. Starting then, we will move towards a system of education with the highest standards, clearly defined, clearly explained and clearly understood, a system with one solid goal: to promote the kind of excellence that makes our students' performance the very best in Canada. Starting then, we will end a system where students have been lagging behind their peers in other provinces. We will help parents understand what their children are expected to learn and when they are expected to learn it.

We will end the system where the union bosses have the power to use class size as a bargaining chip in their contract negotiations. It is a system that needs to be changed. Even though our education spending is among the highest of the provinces, our students' national and international test scores are barely average.

We know that Ontario has some of the best teachers in North America, but even the best teachers can't make a bad system work. A bad system is one that has prevented or provided a barrier to or a block to an ever-increasing volume of tax dollars from finding their way into the classroom. A bad system is one that takes those dollars and wastes them before they ever get to our good teachers, before they ever get to our children.

Our children deserve much better. The passage of Bill 160 will be an important step in our plan to give our children the future they deserve.

We're asking our teachers to spend as much time in the classroom as their colleagues do in other provinces. We would like to give our students more time in the classroom with a longer school year, more time to get a stronger basis in the skills they're going to need to succeed.

We will introduce fair funding that guarantees accountability, affordability and excellence while spending less money on bureaucracy, the bureaucracy that encourages waste and diverts that needed money from our classrooms.

To complement Bill 160, which protects classroom funding, we have brought in a demanding core curriculum that clearly states what every student should know and when they should know it. We will ensure that parents receive a standardized report card that clearly demonstrates how their child is progressing. We will promote regular testing to monitor progress and make adjustments where needed.

We are encouraging protection of the highest possible standards for educators with a new College of Teachers. We have made investments in modern facilities and the latest technology. We will ensure increased community involvement in our schools with school councils, which will provide an important role for parents and for community leaders in our children's learning.

These are the cornerstones of our education reform plan, a plan that will give students and teachers alike the tools they need to thrive with the challenges of the 21st century. These are the cornerstones that will give us the finest, most demanding, most accountable system of education in this country, a system that prepares our children for the rapidly changing challenges of the new workforce; that listens to the concerns of parents, of students, of teachers and of employers; that guarantees an equal chance at a prosperous future to every student in every classroom on every concession on every line in every village, town and city in this province; that will continue the momentum of growth and prosperity that Ontario is seeing at last, momentum that has us leading the nation in job creation.

That's why we're changing the system: We're saying to our children, "You deserve to be number one." Our children deserve to be number one. We will give them the tools they must have to meet the needs of the future with confidence and with skill.

Starting with the passage of this legislation, those tools will be in the hands of students, of teachers and of parents right across this province. For the first time in many, many years our students can look forward to a future that is full of hope and of opportunity and of good new jobs for everyone who wants one right here in the province of Ontario. To me, that is the kind of history this Legislature should be proud of. It's the kind of legislation that we should be proud to make. I want to tell you that I am proud to be a part of that history right here in the Legislative Assembly today.

The Acting Speaker: The Chair recognizes the minister from Don Mills.

Hon David Johnson: The Minister of Education and Training actually, Mr Speaker, but proud to be from Don Mills.

I'm very pleased to have the opportunity to speak on Bill 160 and to indicate that this legislation is the result of over a year of consultation. In September of last year we launched extensive consultations with the public, with

teachers, with school boards and others as part of the School Boards and Teachers Collective Negotiations Act.

We have reviewed and considered recommendations made in reports submitted last year by, for example, the Sweeney task force and the Working Group on Education Finance Reform. We continued to have meetings and information sessions with representatives of the Ontario Teachers' Federation, their affiliates, school boards, special education advisory council, the Ontario Parent Council, business and financial communities throughout this year. In the months leading up to the introduction of the bill, we again held talks with teachers' unions and school boards, to finalize the legislation.

1630

Earlier this year, the standing committee on administration of justice held public consultations in five cities across Ontario, heard over 200 submissions in person, many others in writing. Throughout that process we've listened, we've learned and, more important, we have acted.

This government cares about education. It is the passport to opportunity for our children, who must compete with the best in the world. It will provide them with skills, experience and expertise they will need to succeed in the global economy and to live successful and fulfilling lives in a rapidly changing world. That is why we're determined to improve the quality, the efficiency and the accountability in Ontario's education system. I'm sure that is a goal we can all agree with, and it is one that has been long overdue in the province of Ontario.

Time and again, parents and students have told this government and its predecessors that they had long-standing concerns about the quality of education and training and how their tax dollars were being spent. These are questions of accountability. In education, an important measure of accountability is student performance. Until now, we haven't done a very good job of measuring this. Our system of education must provide quality of education and it must be accountable to the people who support it: the parents, the students, the teachers and the taxpayers.

One of our first moves as a government was to create the Education Quality and Accountability Office. This is an external agency and it released its first provincial report on achievement just last month. The report, which analysed student performance on grade 3 and grade 6 tests conducted last spring, will for the first time in Ontario set a benchmark from which we can measure, year over year, improvements in student achievement. Because of that, parents will now see clearly how their children are progressing. Surely we all know in this House that is something parents have been begging for year after year after year.

We also acknowledged the fact that the key component in the educational system is teachers. To recognize and strengthen the professional nature of teaching, we set up the Ontario College of Teachers. It will be responsible for teacher certification, improving professional development, and establishing and monitoring professional codes of conduct.

In addition, as Minister of Education and Training, it's my job to look hard and long at the education system to ensure it is effective and efficient and serves the real needs of our children. Previous governments dealt with these issues by setting up study after study, commission after commission. In fact, we have seen some 24 separate reviews, 10 commissions and committees, two fact-finding reports, two panels, innumerable meetings and discussions on reform, and millions and millions and millions of taxpayers' dollars gone into that process.

These issues have been studied to death. It is clearly time for action. It's time to act to ensure parents once again can be full partners in their children's education. It's time to act to ensure that every child in Ontario has fair and equitable opportunity to high-quality education. It's time to act to ensure that taxpayers receive full value for their investment in education. With the introduction of the Education Quality Improvement Act, 1997, this fall, Ontario is acting on behalf of the parents, the students and the taxpayers.

I wish to deal directly with some concerns which have been expressed. As minister, I believe it is my responsibility to set the record straight for the people of Ontario.

This bill will not give the government any new powers to replace school board trustees or dismiss school board staff. It will not eliminate the teachers' right to strike. It will not give the government unilateral power to close schools. It will not cut education funding. It will not place new restrictions on someone's right to challenge government action through the courts. It will not prohibit principals and vice-principals from teaching. Indeed, we have great respect for the expertise of principals and vice-principals. Their employment rights will be fully protected during the transition period, and we propose establishing a group involving them and other stakeholders to resolve issues arising from this change. And this bill will not increase class sizes in the province of Ontario.

What this bill will do is allow the government to set provincial standards to promote quality in our education system. It will set maximum average class sizes for all school boards in Ontario to address parents' concerns that large class sizes affect their children's ability to learn. The average size of elementary school classes would not exceed 25 and the average size of secondary school classes would not exceed 22. These provisions would be reviewed every three years. It would give teachers more time to do what they do best, and that is to teach.

High school teachers would now spend about the same amount of time teaching as their colleagues do on average across Canada. That is something that elementary teachers already do in Ontario. It would increase the number of classroom instructional days in the school year to give our children more time to learn, the same opportunity as children have in the other provinces of Canada. High school students would benefit by about 10 additional days in the classroom. Elementary students would benefit by five additional days of instruction.

The bill would allow students greater access to specialists with professional expertise. The government, with

the support of the Ontario College of Teachers, has amended the bill to ensure that professionals and para-professionals would complement, not replace, classroom teachers in schools. Support from specialists in computer technology, arts and career guidance, to name some, could be used to complement the instruction provided by teachers. Their contribution would enrich our children's learning and broaden their horizons.

Mr James J. Bradley (St Catharines): Better put this speech on the fiction shelf

The Acting Speaker: Member for St Catharines, come to order.

Hon David Johnson: These steps will help us create an education system in which every child in Ontario has an opportunity to succeed, in the classroom and in the future.

The Education Quality Improvement Act is a tool to help us improve the quality, the accountability and the efficiency of Ontario's education system. We are committed to providing the highest-quality education possible in the most cost-effective manner. To make it work for our students will require everyone — the students themselves, their parents, the principals, the teachers, the school boards and the government — to work together, and we will work together through the transition to a new, better, fairer and more accountable education system for our children. Together I believe we have the courage, the strength and the collective wisdom to make a better place for our children. They deserve no less from us.

1640

Mr R. Gary Stewart (Peterborough): I'm pleased to rise and speak on the amended Bill 160, an act to reform education, protect classroom funding, protect classroom size and enhance accountability. I emphasize the word "amended," as the act as it now exists responds to the consultations and recommendations coming out of the hearings that were held across this province. The bill responds to the concerns of the taxpayer. The public wanted change, the public wanted their voice to be heard, and we, the government, reacted.

Bill 160 is part of the education puzzle, a puzzle that has many pieces. It must be put together carefully and professionally if we want to have a complete picture. As each piece is connected and put into place, education will be enhanced. Whether it is a new, revised report card, a new curriculum, Bill 104, the College of Teachers, the Education Quality and Accountability Office or our new funding model that emphasizes equity for all of Ontario's students, each piece represents the larger picture.

It represents an improved education system that will not mortgage our students' future, a future that has to be representative of our ability to pay. No longer can boards and trustees sit back and just raise taxes to solve their inefficiencies when sound administration would produce the necessary accountability to put the needed funds into the classroom.

I have a vision of education that stretches into the new millennium. It has two components: First, my vision is having the highest quality education possible; and second,

my vision relates to education at the best possible value. Does anybody in this House disagree with my vision? I don't think so.

If we are to achieve my vision of education in the future, we must be prepared to change our way of thinking and improve education in general. In my vision, the highest quality of education relates to the student who must be prepared to compete in the global marketplace; prepared and informed to be considered ahead of the other students from other provinces and other countries who at the moment appear to be leading the way.

Having education at the best possible value addresses the concerns of taxpayers and the parents who are not receiving the results they expect from our system. More importantly, education at the best possible value emphasizes the importance of accountability, efficiency and the cost for the taxpayers of the future. We cannot graduate students who, at the very moment they enter the workforce, have a mortgage attached around their neck due to rising debt. This is not acceptable. Having a strong education system is the key to having a competitive Ontario.

Our education system is an albatross that is desperately in need of change. Bill 160 and other supporting legislation addresses that change. I believe that we can, and must, improve the efficiency of our system, as well as its effectiveness. It is totally wrong to believe that the government intends to reduce the cost of education without regard for its consequences. This government has taken the initiative to standardize curriculum, testing and reporting cards, as well as ensuring that each and every student in Ontario will receive equitable and adequate funding.

Our direction and priority is geared to the student and to the classroom, funding that includes a fair and equitable foundation grant; a special assistance grant that identifies additional funding for language, geographic areas, special education, learning opportunities and adult education; and finally, a capital grant that specifies additional funds for maintenance, construction and renovations. This is a great starting point on our road to excellence.

Any government can take money out of the education system, as other governments have done, including the two opposition parties that now are crying wolf. This is done by merely reducing the grants to school boards. Our government is committed to fix the system and make it the best in the world.

I find it very disturbing that when our government talks of excellence in education, when we want discussion and an honest exchange of ideas to improve the system, and when we want cooperation between all players at the table, we are criticized. Everyone in this province should be supportive of our initiative. Am I to understand that you do not want to improve education, or the best possible education?

Recently, I attended two high schools in which my attention was drawn to books that were short of pages, computers that were outdated and supplies that were short or non-existent and being purchased by teachers. Does

this not say that the system is in need of repair and must be fixed?

Throwing more money at a problem will never fix the problem. Let's continue to identify what needs to be done and then react. The puzzle I talked about will come together.

Much has been said about the undemocratic nature of Bill 160. Certainly, prior to the bill being amended, one or two sections could have been interpreted that way. Those sections which allowed regulation to supersede legislation have been removed. We listened to the people and we reacted.

Some educators argue that sections that include wording such as "Subject to the approval of the Lieutenant Governor in Council, the minister may make regulations," some people interpret this type of language as giving the government the power it needs to make further cuts, fire trustees and fire teachers. This is nothing but rhetoric aimed at frightening the citizens of this province. This type of wording is similar to what exists in the present Education Act, 1990. Bill 160 cannot be read separately; it must be read in conjunction with that act. Bill 160 is merely a modification of the Education Act and clearly defines the roles and responsibilities of the partners in the system.

Many of the comments and disagreement with Bill 160 are exaggerations aimed at creating turmoil in our education system: reference to student vouchers, charter schools; no challenge of the EIC; trustees' duties that have been drastically reduced; the right to strike gone; a principal defined not as a teacher. This is entirely fiction and not factual, aimed at discrediting the direction to improve education.

Before I close, let me make a short comment on the Education Improvement Commission. With the amalgamation of the three boards that are associated with my riding, the local EIC committee, made up of the Peterborough public board and the Northumberland-Clarington public board, has designed a policy and a plan that will be envied throughout Ontario. They accepted their role and addressed the task of amalgamation, designed the plan, worked cooperatively with management and staff, and then arrived at an amicable and positive solution. They even saved \$400,000 into the bargain. This exercise was all about cooperation, efficiencies and making change work. They are indeed to be congratulated. If in the future disputes arise that cannot be worked out, then the provincial EIC is there to make the final decisions.

If we are to bring out-of-control spending in education under some semblance of control, legislation must be enacted. Bill 160 is part of that necessary legislation. We need change, we need less emotion, we need reform and we need a constructive exchange of ideas. All of us know the system has problems. Possibly, working together, we can find the solutions; otherwise we risk our children's and grandchildren's future.

1650

Mr John O'Toole (Durham East): Respectfully, I'm very proud and pleased to be permitted or allowed or

encouraged to speak to this very important bill. Following our Premier and our Minister of Education, and indeed the member for Peterborough, it is indeed a humbling privilege to be able to participate so clearly in this important debate.

I want all people to understand first and foremost the importance of education to me and my family, as a parent of five children. My wife Peggy is a teacher. My sister and niece and nephew are all teachers. They all want the same thing I want: an improved educational system.

As a former Catholic school trustee, I am encouraged by the new vision for our future in education. Putting students first in the classroom is a paramount theme throughout all of our amendments and changes to education — a system that includes parents. I believe every Ontarian wants higher quality standards, a more accountable system and assurance every student has access to the best public education system in the world.

As our Minister of Education, the Honourable David Johnson, has just said, it is time to get on with these important reforms to our educational system. After some 24 studies and two royal commissions and many additional studies over the past decade, it's clear that change is required. It's time to turn it around. It's time to make the tough decisions. It's time to take action. I'm encouraged by our Premier and the leadership of this government to take those decisive steps once and for all. Study does not solve the problem; action is what is required. I encourage every student, parent, teacher, administrator, indeed every taxpayer and elected official to start now to work together to improve the system for our students.

Our reforms to education are not confined simply to Bill 160. That might be a preferred myopic view by some opposition members. Rather, our reforms are broad and inclusive. They're all about improving quality, improving accountability and improving efficiency.

Think not in the mere terms of Bill 161. Think in terms of Bill 30, the Education Quality and Accountability Office; Bill 31, the College of Teachers, to ensure that the profession of teaching is indeed brought forward into the future of a new, changing world of information. Think of the important changes that have been widely embraced in a standard curriculum, standard report cards and standard testing. Any system must check itself. We've set in place a framework of accountability.

The Royal Commission on Learning and the document, *For the Love of Learning*, clearly called on many important improvements, and I can assure everyone that this is an important background document for everyone working to improve quality of education. For instance, the province should fund education. I might add that the Fair Tax Commission some years ago also recommended this very same starting point for making sure the system was equitable and accountable for all Ontario students.

Once again, we are doing it and that's what has set us apart from the other parties of the last decade. We're doing it. We're putting students first.

Mr McGuinty said today in the House, and I read in the press, that he was going to approach the members of the

PC caucus to attempt to persuade them to rethink their vote. I ask you, Mr Speaker, what is our Liberal leader's plan? Simply put, the Liberals have no plan. In fact, he stated that very clearly and openly on Focus Ontario just a couple of weeks ago.

Clearly, we have a plan this caucus is involved in and that this caucus has input in and I can assure you that our minister and our Premier listen. I encourage the Liberal leader to call me. Perhaps I can convince him to listen to the non-teaching, hardworking taxpayers and small businesses of this great province. Mr McGuinty, listen to all the people, not just the people who are holding your signs.

I can tell you, Mr Speaker, I listen to all of my constituents. I have many letters here that I have time to share from my constituents. I'm just going to read some small excerpts because I don't have a great deal of time. These aren't selected letters. I've examined all of the letters and all of the phone calls and clearly there's a common message to all the communication, including teachers. They all want reforms; you yourselves have admitted it, David Cooke has admitted it. What you fail to recognize is that you've never taken any action and that's what goes along with listening: following up.

For instance, I was speaking to a constituent and she took the time to write a letter to me. For the sake of her information, I won't give her name, but I'd be pleased to acknowledge this on the air:

"Education costs and 'that our...students are less and less well prepared for university.'" This is a quote she's taken from an article in the *Toronto Star*, October 30, 1996, that was signed by many university professors.

"One way of improving our educational system," she suggests, "is to increase the number of" teaching hours and the teaching time spent between teachers and students.

We're doing it.

She says that all three political parties have agreed from time to time to act on major change that is needed to take place in the educational system. Your government is the only one prepared to take any moves forward.

Another letter is from a special education parent:

"Dear John,

"We have four children. One child has Down syndrome and therefore has 'special needs.' We do feel he has not received all he is supposed to receive"; ie, speech therapy and extra programs are unavailable due to no money, and that's today. "Naturally we do not want any" more "money taken out.... However, our so-called 'normal' kids haven't received the education they should either. Our oldest, in her fourth year at Queen's U., said she would never send her kids to public school, as it is so mediocre. Good teachers are appreciated, but the system" — as the Premier said earlier — "is failing" them.

Just recently, in fact this week, I read an editorial featured in one of the local community newspapers that I read. I read seven local papers every week to try and stay in touch with the broader views of my constituents. This editorial is an extremely balanced article. It puts forward the strength of the bill and the bill that we must all be vigilant on to make sure that funding and the funding

model come forward to ensure a high-quality, accountable system for every student in Ontario. The editorial is from the *Clarington This Week*, dated Tuesday, November 25, entitled "The Truth About Bill 160."

"As the time for third reading of Bill 160 nears, honest consideration of the bill and its implications is essential" for every citizen of Ontario. It goes on to examine much of the rhetoric that's been out there with respect to the imbalanced or inconclusive arguments being put forward by those with a special agenda.

I've looked widely across the province and have listened widely to many constituents and many newspaper editorials, and I would refer people to the article by Randall Denley from the November Ottawa Citizen, which says: "...the Education Act, most of which has been in place since 1980?" Much of the Education Act in place today is indeed being amended by this act.

Again many calls just this morning, and they are running about 60% in support of change to the education system. I'm reading the local newspaper from Uxbridge. Julia Munro is the member from that area. I read that paper as well. Just this past week there were two articles, and I could quote because these are public articles. This is from a Heather Hodgson from Uxbridge. She says:

"...what will happen in 20 years when it is estimated that there will be three people working for every one retired person?" as opposed to six today. The future demands that we have a high educational system to take care of our elderly. We must have a perfect system.

"Certain groups must stop demanding services, claiming that these services are 'rights'. The only 'rights' one can truly expect are freedom of speech and freedom of religion because these are in fact free." She goes on to support the government's position to make the important and needed changes.

1700

Another letter in the local newspaper I'm reading, and it's just from this week, is from Wendell Mazelow from Uxbridge:

"Other people take risks and do it all the time." It's part of the job today. "I have never met a teacher who worked harder..." or less hard than a person in business today. We must all work together.

While I do not stand in face of the strike, "...the mind-wrenching, cult-like behaviour" of the teachers in this past strike has been downright disheartening and a bad impression for our students.

"It was pathetic to see the students outside with their mentors, toe to toe with the people above the law, carrying their placards," who the next day would be their models and teachers.

What a contradiction. I think that's what has happened. There's been such a completely mindless attempt to make the point for the union's position. I would encourage people also to read widely in the press. I think the best articles were by Christina Blizzard, and I have to refer every person in Ontario to read the articles. At least she brings some truth to the argument. The articles are entitled "Myths and Legends of Bill 160," and "The Truth About

Education Reform," "Politics 202" and "Politics 101." She goes on to explain that much of the rhetoric about language in Bill 160 is indeed the language that's consistent in the Education Act today.

I have attended many public meetings, and in those public meetings it's been clear — when I was meeting with the Northumberland and Clarington board, there were questions asked of the director of education. They just settled a contract. One parent stood up — the director, Mr Dick Malowney — and said it was one of his supervisory officers — "In your last contract did you increase class size?" With all the words being shuffled around, at the end of the discussion just this past week he conceded that they had to increase class sizes to somehow precipitate a grid change or increase.

Furthermore, there have been many comprehensive submissions to my office. I mention the one by Mr Jack Foote, who brings out a pretty thorough analysis with respect to where education spending has gone in the last four or five years. The period he covers is from 1989 to 1992. Clearly he shows that operational spending was 77% on wages and benefits in 1989. In 1990 it rose to 85% of operational costs; in 1991-92, 113% of operational costs was on wages and benefits. There was nothing being spent on the other resources for the classroom.

I can assure you, Bill 160 has not passed, but I have been in classrooms, and what I see is students with no textbooks and schools that are in bad need of attention. I think it's despicable that we could walk away and leave our children in portables while we have Taj Mahals being built around the province, with leather chairs to house the administration staff. That's shameful, absolutely unacceptable, and Bill 104 deals with much of that duplication and waste.

If you were to read the John Sweeney report, you would recognize that he clearly identified the need to reduce the waste and duplication in administration; 167 school boards with superintendents making — when I think of one superintendent making \$150,000, that represents three or four classroom teachers. Those are the facts. The teachers need to realize that we're on their side too.

I'm confident about the future in education. The classroom, as we committed in our Common Sense document, was clearly the focus. We committed to no cuts to the classroom, but everything else should be examined and we should use hardworking taxpayers' money wisely and frugally.

If anyone questions the major themes within our education reform, starting with Bill 30, Bill 31, Bill 160, Bill 152 and including all the other Who Does What, we're trying to put education first. Altogether it's a quality system focusing on the school, focusing on the classroom. We committed in this document clearly to examine the educational system, the governance system in education and to put the student first.

I can assure you that I've been listening to my constituents. I think most important, to of sum up — I've got a few minutes left — I would encourage each one of us to listen and remain vigilant. These are, with the Premier in

attendance today, very important times for all the stakeholders. We should put down the signs and placards and work for the improvement of education for our students.

I think of my own five children. I can say to you that the system serves them well, but of course with my wife being a teacher and very supportive in that role. There have to be more resources put into their time.

I used to get calls when I was a trustee. Many parents would call. The first thing I'd ask them was, "Name the director of education." In most cases, to students and parents and teachers, the school is the most important thing. That's what we have to make sure is sustained into the future to ensure the delivery of education.

When I look at the new curriculum, many teachers are very supportive of that new, focused, more disciplined curriculum. They're more conscious that there are changes that they embrace, probably the majority of them. Their uncertainty today I believe has been caused by the misinformation that has been represented about Bill 160, but I'm confident — I can repeat it, I'm confident — that our Premier and Minister of Education have the student first, and I know this caucus has the student first.

Just because many parents and students and taxpayers over the past few weeks have had different views than union leaders, somehow they're considered to be wrong and unimportant. I can tell you the vast majority is quietly calling.

I'll give you an example. I'm looking at a small poll that was done just last evening. I called a couple of constituents as to what they're hearing. In an oldtimers' hockey dressing room last night in Bowmanville, in the Garnet Rickard complex, they did a poll of the four teams that were there and only four people did not support Bill 160. The rest were clearly on side. They said, "Hold the line. We've got to go forward. It's time for change," just as our Minister of Education said this morning.

I've also had a call from a small business person who told me informally they do not bother their customers by doing any kind of poll, but it's a very busy time of the year for them and it is a subject of great importance. Any person who on their own has made a statement for or against, they recorded those comments. Clearly what he told me this morning was that of 150 customers yesterday who commented, 142 of them were in support of Bill 160. I can tell you, we had a poll just this past week by small business in Durham. That poll was very clearly — I don't know, I'm intending to circulate it. I want to thank Don Conaby from the economic development area in the region of Durham. There are about nine or 10 questions here. I'm just going to give you a couple. Generally I'll try to read as many as I can for the members and for those listening today. This is the most significant response they've had to a poll in the lifetime of the chamber.

The first question was, "Do you agree or not?" This is the poll. "Too much money is being spent on administration in Ontario schools"; 93% agree that too much money is being spent on administration.

The second question was, "More resources should be focused on the classroom"; 96% agreed.

"Local school boards have done a good job negotiating collective agreements with teacher unions"; 83% disagreed. They're the taxpayers and the seniors in my riding who see their taxes going up year after year. They want it to stop. This government clearly has taken that action.

The fifth question: "Ontario students do not perform as well as they should on international tests"; 85% agree. I can tell you when Mr Silipo was the Minister of Education in 1992 — I quoted this many times in my public meetings — he said exactly the same things we're saying: "Our students are not performing well on international tests. The system must be changed." David Cooke had the courage to take on the position of co-chair of the EIC for the same reason. I support Mr Cooke. I think he's the person with the commitment to deliver on the vision, and we're the government to make that commitment. Of course the opposition today are backing away and yet they haven't brought forward any clear policy or any clear plan except the status quo. That's not good enough for my children and it's not good enough for your children. Stand up for the children. Stand up to make the changes that are needed.

1710

Another question: "The quality of the school system can only be improved by spending more money." Clearly, 80% disagree with that.

"Non-certified specialists should be permitted to teach or assist in such subject areas as physical education, computer programming, art, music and guidance"; 76% agree. These are the small business people, the taxpaying people of Ontario. They want change. We've made it clear in the legislation that those non-certified teachers will be working in a supportive role. That's an important change. Mr Cooke and the EIC, they've seen it. Are you blind? Listen to all the people of Ontario and you'll find out that these changes will indeed improve the education system for our students.

The last question I felt was a very important thing for the teachers who were drawn into this illegal strike. They really didn't have a vote and yet they wanted to support their professional peers. The question is, "Teachers are justified in striking"; 83% in Durham disagree. If you were to ask the question, "Do people support their teacher?" I believe they do, and they expect a lot of our teachers. I think they agree with that. I expect a lot of the teachers, but I don't expect them to be leading political protests and the like in the classroom. Can you imagine sending home political rhetoric with a kindergarten student? That's totally unacceptable. We've got to make education in our schools priority number one.

It's been a real pleasure to be a part of and to comment on this important piece of legislation. Indeed, as I said at the beginning, when I was a trustee, elected first in 1982, I made a commitment to education and education quality in this province. It's a privilege in light of that commitment over time that I am finally here, recognizing that funding, the most important element, and the access and accountability are the very elements of Bill 160.

In fact, each one of us in this Legislature should stand up and vote on Monday for Bill 160. I appeal to Mr McGuinty to listen to all the people. He should be phoning not only members from the PC caucus — we've been involved; we know how important it is — but members of his own caucus and ask them to vote with a free vote themselves. I challenge him to ask some of the people on the other side to look freely at this as an opportunity to really stand up for quality education and for the students and taxpayers in your riding. I can tell you it's high time that we had educational changes that are clearly consistent in Bill 160.

I'm going to conclude by stating that it's been a privilege to be able to speak, and it's a humbling experience, I might add, as well. I have received thousands of letters, and in the time that I have left here, I'd like to say that I've written a letter quite comprehensively explaining the struggle for me and my staff in the constituency office, struggling with the calls trying to get people to see both sides of the discussion. Over that time, we've analyzed both the Education Act and Bill 160 to ensure that we understood their question and tried to get back to them the explanation as we understood it by reading both sides of the argument.

So I've explained to my constituents of Durham East that after much consideration and much deliberation, most importantly focusing on the student in the classroom, I support Bill 160. I am completely confident that this government and you will see an improved education system for each and every child, whether they live in Timmins or Toronto or in Durham East. We want no less. Mr Speaker, my time is coming to an end and I thank you very much for this opportunity, for allowing me to participate in the debate on Bill 160.

The Acting Speaker (Mr Gilles E. Morin): Questions or comments?

Mr Bradley: Thank you very much, Speaker, for the opportunity to respond. What the people of Ontario should know is, first of all, that the Conservative Party has taken the lion's share of the time this afternoon and left the opposition with very little time on third reading to deal with Bill 160. What the government has done with this bill has poisoned the atmosphere in the field of education for many years to come. You had an opportunity to work together as a government with everyone interested in education —

Mr Wildman: We are not going to get enough time. You ruled 25 minutes per —

The Acting Speaker: Order. Member for Algoma.

Mr Bradley: — be they the teachers, be they the trustees, be they parents or students. Instead, the government decided that it would attack one segment of society; that is, those who have been involved in education as teachers and trustees over the years. The government, on the advice of the wise guys, the backroom whiz kids who advise this government, decided that it would be smart, very politically clever, to pick on the teachers of this province and the trustees of this province, hoping they could engender ill will against these individuals who work

so hard in such a dedicated fashion with young people and not-so-young people in our society.

The government had a chance to work with these people. They came to the government in the midst of the discussions and made several significant concessions on this bill. What happened was, the government was exposed because the government really wanted to remove another two-thirds of a billion dollars from the education system and pretend that would not have any effect on it. Already, the government has removed over half a billion dollars. The government has confirmed and entrenched that money which was taken out of the system under the social contract.

That's what it was all about. If the government were at least honest and upfront and said it's all about taking money out of the education system, at least some people would have admired them, but all they've done is attack people and poison the atmosphere in education for many years to come.

Mr Wildman: I fear for the future of public education in Ontario. The reason I fear for that is because of the bunker mentality that has been demonstrated by this government with regard to Bill 160. The fact is the government for the last two years has done everything possible to demoralize the very people who are responsible for delivering quality education to students in this province.

And yet the government continues to bulldoze through and ignore the fact that very serious concerns have been raised about Bill 160. Many of the people across the way haven't read the bill. They know what they've been told by the senior bureaucrats and by the members of the cabinet, but they haven't read the bill. Many of the people out in the public who are complaining and raising concerns have read the bill. That's the difference between the bunker mentality of this government and the concerns of the public about Bill 160.

This government does not want to hear dissenting opinion, again another example of a bunker mentality. I have done some research and had some research done for me with the Clerk's table today to determine how many times in the history of this assembly has a private member's bill been voted down on first reading. It had happened twice, twice in the whole time. The first time was in 1981 when the Conservative Party voted down an NDP bill. The second time was in 1995 when this government voted down an NDP bill.

Hon Margaret Marland (Minister without Portfolio [children's issues]): You voted down Jim Brown.

Mr Wildman: That was on second reading, not first reading.

Hon Mrs Marland: It was first reading.

Mr Wildman: No, it wasn't.

Mrs Marion Boyd (London Centre): Second reading.

Hon Mrs Marland: No, I'm sorry.

Mr Wildman: For that reason, this government doesn't want to hear and this government isn't giving this party any time to debate this bill under the time allocation motion.

The Acting Speaker: Thank you. Your time has expired. The member for Huron.

Mrs Helen Johns (Huron): I just wanted to comment on a couple of things the member opposite was talking about. I'd like to remind people who are watching the debate today that the first time that a private member's bill with that title was raised, the government accepted that private member's bill. The second time, the third time, the fourth time and, I believe, the fifth time, it was rejected. I think it's important to recognize that once again we were having plays in the Legislature, as opposed to moving towards working to improve the quality of education.

Mr John Gerretsen (Kingston and The Islands): Have you read the bills? How do you know it's the same?

The Acting Speaker: Member for Kingston and The Islands.

1720

Mrs Johns: Bill 160, as we have talked about over the course of the last number of months, and the quality of education as we have talked about it as a government since we were elected, I want to remind people why I believe this bill is so important to the community.

In my community of Huron county, the number of dollars that are spent on education is substantially different from the number of dollars spent in other parts of Ontario. It's time that we have an equitable and a fair system that allows every child to have the same dollars spent on their education.

Mrs Boyd: The lowest common denominator.

Mrs Johns: There cannot be a two-tiered education system within the community. I believe that if we go forward today and we work towards what we believe we're doing, improving the quality of education, that people —

Mrs Boyd: Why is everybody else down?

The Deputy Speaker: Member for London Centre.

Mrs Johns: — will believe that we are moving in that direction. I intend to work carefully and closely with the teachers in my riding, many of them friends of mine, to help improve the quality of education.

My children are in the system. They are in grade 1 and grade 3. They are going to be educated for a long time in the province of Ontario. We're going to do our best on this side, and I believe on that side too, to make sure that the quality of education improves and that our children are able to compete in the global marketplace.

Mrs Lyn McLeod (Fort William): It is unbelievable that the members of this government can continue to say that Bill 160 is about improving education in sheer defiance of the beliefs of 126,000 front-line teachers who know the reality of what's happening in our classrooms and what this bill will do to public education, and in defiance of the concerns of hundreds of thousands of parents and of students.

It is unbelievable that this government continues to talk about curriculum improvements and testing improvements and reporting improvements when they know full well this has nothing to do with Bill 160. It is unbelievable that the Minister of Education continues to say that Bill 160 limits

class size when he knows full well that Bill 160 enshrines in law the status quo in average class sizes, and that means our students will still be in classes, in many cases, with 38 and 40 students in a class.

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It is unbelievable that the Premier of this province continues to say that the system is bad, as he did today. To do so is to completely deny the achievements of our students, of our teachers and the goals of the public education system itself. But that has never been the goal of the government of Ontario under Mike Harris: to recognize the strengths and the achievements of publicly funded education.

Their goal, quite purely and simply, is to get control of education so they can find the dollars they need for a tax cut. They're more than willing to sacrifice the interests of 2.1 million students to achieving their goal of getting the money they need for their tax cut. Their ultimate goal, I am more and more convinced, is to see the ultimate dismantling of public education in Ontario. The bottom line: You cannot improve education without teachers and you cannot bring in positive change when you make enemies of teachers in this province.

The Acting Speaker: Minister, you have two minutes.

Hon David Johnson: I'm delighted to wrap up our part of this debate and to thank the Premier and the members for Peterborough and Durham East for their excellent contributions to the debate. I'd like to thank the member for St Catharines, who has indicated, through his two-minute response, his concern with regard to the teachers and the fact that we should be dealing closely with teachers. I share his views in that regard.

The member for Algoma, as usual, has spoken eloquently. He indicated, though, that the party has been denied their rights to speak on this issue. Of course, one of the problems, as the member for Huron indicated, was that a good deal of time was taken up earlier today introducing for first reading a number of bills by the third party. The only purpose of all the bills was simply to eliminate Bill 160. All they had to do, rather than introduce all these bills, is simply to vote against Bill 160. The government allowed the first one to be put forward, and it has had first reading, but obviously we were simply wasting time today in dealing with one after another.

The member for Huron has indicated that she will be working closely with teachers, and I compliment her in that regard. I encourage every member of this House to do that. That's certainly what I intend to do. I had a meeting with the president of the OTF this afternoon. I hope very much that I'll be able to have meetings with all the members of the provincial affiliates, with various teachers, with principals, school boards, everybody involved in the system, because, let me make it clear again, we all need to work together, the students, the parents, the principals, the

board members, the government. That's what I intend to do. I know the member for Fort William, with her history, would encourage us to do that as well, as we instil quality into our education system.

The Acting Speaker: Further debate?

Mr Dalton McGuinty (Leader of the Opposition): I'm of course going to take this opportunity to comment on Bill 160 generally. It's really unfortunate that at this point in time, although I have made every effort now to give the government members an opportunity to reconsider, it would appear that the government members are none the less going to vote in favour of Bill 160.

I'm hoping that at least those present will take the opportunity now to carefully consider what I'm about to say and, in addition, to carefully consider the views they have undoubtedly been receiving at their constituency offices, the letters, the faxes, the protests, and to carefully consider as well the fact that 126,000 law-abiding teachers, who have every genuine intent to care for their students, left their schools and marched outside in the cold without pay.

I know the government members would have us believe that each of these persons is entirely self-interested and has no genuine interest in their students. But I think anybody who took the time to speak with these teachers during the course of this protest, to talk to them and to listen to them, would quickly conclude that they were very much torn by all of this. They understood that their place, quite properly, is inside the classroom. But they also understood that there's something much bigger at stake here, and that's the future of public education in Ontario.

In some ways, perhaps the most tragic aspect of all of this is the fact that what we have here is a squandered opportunity. Teachers, parents, students and trustees are all ready to embrace change. They understand only too well the need for improvement, and I can tell you that as a parent I want improvement. I want nothing less than the very best for my children. I think every parent in the province has the same expectation of their public system of education, and who could deny that to them?

Before I proceed a little bit further, I want the people who are watching this at home to hear something I've said before. This debate may be very confusing for some because the government tells us one thing and others will tell us other things and I'll be saying something else as well. I'll tell people who are watching this the same thing I've been telling throughout, to trust their instincts. Don't hesitate to go visit the local school. Find out what this government has already done to education, done to students in Ontario. Talk to their teachers. Think about the teachers they've had in the past themselves. Were they all evil incarnate or did they from time to time help us along the way? How many of us would be here today, how many of us would enjoy the quality of life we enjoy today if it wasn't for our public system of education?

This government started out by creating a crisis. They were very deliberate in their intent. That was put on the record at some point when that was leaked from the previous Minister of Education who said that in order to bring about substantive change, it was important to concoct, to

construct, to create, to orchestrate a crisis. That's exactly what they did, and they got a crisis.

For two weeks in this province we had something here that's never been seen in North America. We had 126,000 teachers leave their classrooms, we had 2.1 million students not able to attend school and we had a government that to all intents and purposes did nothing at the time in order to arrest that and bring it to an end. In fact, what we had was the Premier who throughout was in hiding. The only means by which he spoke to the public was through paid television advertising; in fact, advertising the taxpayers themselves had paid for.

It would seem to me that in the midst of that crisis created by this government very deliberately, the obligation of the Premier in the greatest province in the most blessed country on the planet would be to step into it and say, "I want to help and I'm going to start by not insulting and not demoralizing our teachers."

At some point, you're going to have to understand, members of the government, that one of the most important assets we have in public education is the goodwill of our teachers. If we lose that, we are in serious trouble because you can't deliver quality education from a building in downtown Toronto everywhere across the province. It's got to be by means of a partnership, and who's involved in that partnership? I think that's pretty clear, pretty self-evident. It involves parents, it involves the students themselves, it involves their trustees and, perhaps most important, it involves their teachers.

If I just for a moment speak in my capacity as a parent of four children who are enrolled in our public schools, I do not understand how by removing a further \$700 million from the system and by letting go thousands of teachers so that there will be at the end of the day fewer teachers teaching an increasing number of students, how fewer teachers and less money is going to make for better education for my children. I think that's the exact same kind of question that's being asked by parents throughout the province.

There's something else the minister made reference to that I don't understand just as a parent. His guarantee of an average class size, a guarantee in fact of the status quo, how is that going to result in smaller classes? My two oldest are in classes which are no less than 34 students. I've been told by our local board and local teachers that their class sizes will not be reduced as a result of Bill 160 because their average is perfectly in keeping with what the minister is telling us is going to be the guaranteed average from here on in. That's not going to help our students.

Let me speak for a moment in my capacity as a taxpayer; I've spoken as a parent, but just for a moment, as a taxpayer. As a taxpayer, I expect our schools to be efficiently run, that we will eliminate as much as possible the waste, but I also understand that education is more than an expense, that it's an investment and that whether or not I have children in the system, it's in my own self-interest that our children of today grow up to find opportunity here in this province and to find that opportunity because they received the best-quality education. So as a taxpayer, I

understand that it's bad economics, it doesn't make economic sense to remove \$700 million from the system. It's not in my self-interest that that be done and I know it's not in the interests of our students.

1730

Coincidentally, it happens to be that there's another instalment due on the tax cut in January of this year coming and that instalment is about \$700 million. We have discovered by means of a leaked document that this government intends to take out about \$700 million more from our system of education.

If people are considering the credibility of the government members on this issue, I ask them to reflect on what the government has done to date when it comes to education. They have removed \$533 million so far. In fact, when we add on the social contract cut, we have taken \$1 billion out of education so far.

What has that meant? It means we're losing junior kindergarten at a time when everybody knows that we cannot afford to do without junior kindergarten. It is no longer an option in a knowledge-based global economy. We need it and we absolutely must have it. So far 24 boards, perhaps it's 25 now, have eliminated junior kindergarten in Ontario.

We also know that this government's cuts have resulted and are continuing to result in a loss of special education programs. I've said it before that, for me, special education programs being cut in Ontario is more than an economic or financial issue; it's a moral issue. Do we not have an obligation as a society — just think of this for a moment now — to make sure that we're providing the kinds of programs that are necessary to help our kids who have learning problems at school? That's what this government has done to date.

In addition, their cuts have resulted in cuts by school boards to adult education programs. This government is outstanding when it comes to placing responsibility on people out there and saying, "You've got to get up out of your chair, get out and get a job." Well, if you think it's tough to get a job after you've got a college diploma or a university degree, you should see what it's like to get a job if all you've got is your grade 10 and you're 27 years of age. You've got an obligation, I would state once again, we all have an obligation to make sure that we're helping those people to help themselves, and when you cut adult education programs, of course you're doing just the opposite.

When people want to consider the credibility of the government on educational matters, I ask them to look at the record, because I think the record speaks for itself very, very clearly.

I want to say something about our teachers. The government thinks it's high fashion to gang up on our teachers, to criticize them, to insult them, to demoralize them. I happen to be married to a teacher and I can tell you that I have some inkling of the kind of effort she puts into her classroom. I understand how much time she puts into it, how much emotional capital she sinks into it. In fact, I also understand how much money she's been putting into

it in order to ensure that every student in her class has the necessary books and pencils.

I can also tell you, on the basis of having talked to thousands of teachers throughout the province, spoken to them at rallies and on the picket lines, that they are ready to embrace change. They are not defenders of the status quo. They understand that there is always room for improvement. But like any other group in this province that is prepared to embrace change, they want to help lend shape to it. They don't want to be cast aside. They don't want to be told that they are obstacles to be overcome. They want us to understand, they want the government to understand that really they are the best resources we have and they're waiting to be tapped.

We need their goodwill to bring about change — positive, lasting, substantive change — and this government has lost that. If this government now thinks they can proceed willy-nilly with Bill 160 and that all is going to be roses from here on in, they are sadly mistaken. If they don't immediately set out to try to build bridges with our teachers — and I'm not talking about those who might find themselves on the extreme in any way. I'm talking about teachers who get up in the morning and go to work and pay their taxes and devote all of their energy and attention to their students, and those who got into the system because they wanted more than anything else to teach, who are inspired by a powerful sense of idealism and who understand that if in the work they do, they succeed, then we all succeed; if they fail, then we all fail.

That's what this government has been playing with here when they play with the goodwill of our teachers. When they set out deliberately to undermine their credibility and to attack them day in and day out, what they really are doing — and I don't think they understand this — is playing with our future: nothing more and nothing less.

I want to make it clear again to those who are watching that my vision of education in Ontario is completely different from that of this government. It's a vision that will be inspired by a sense that if we're going to get it right, we have to understand that it's got to be delivered by means of a partnership. It's got to be a partnership between government and teachers and trustees and parents and students. So I'm speaking to all of those groups outside today, all of those groups who are feeling a tremendous loss, who are feeling disappointment at the fact that it appears we've got a government that's bent on proceeding with this bill. I want them to know that the fight now has to move on to a different ground, a different playing field. Now the fight has to move towards defeating Mike Harris, because when it comes to education, he just doesn't get it.

Notwithstanding the fact that some of his caucus members happened to speak out, it would appear that at the end of the day they are not going to be with their constituents; they are not going to do what they were sent to do. They're not going to honour the wishes of the majority. They are going to vote in favour of Bill 160, and this at a time when we now know, when the pollsters tell us — we don't need the pollsters to tell us this either. Just sit down

at your constituency office and take the calls and read the mail. Listen to what people are telling us. They're telling us they don't want Bill 160. They're telling us 160 will not be helpful to public education. They're telling us, in fact, that it will be harmful to public education.

1740

There are not many things left that provincial governments do that everybody agrees upon as being absolutely essential, but surely one of those very few items that everybody would agree to in terms of being a fundamental and essential role of our provincial government in 1997, and a continuing essential role as we move into the 21st century, has to be the delivery of quality education. Nobody is prepared to accept that government is going to relinquish that.

On the other hand, nobody is prepared to accept that government should assume all control for it, but that's exactly what this government is doing. They're going to centralize control over education so that somehow bureaucrats in downtown Toronto are going to be able to deliver education right down to the last minute detail in Kenora, Cornwall, Kincardine, Ottawa, London, Sarnia, Windsor and everywhere else in this province. It's all going to be decided now from downtown Toronto. That's not on. It's never been on. Nobody's ever sought that.

I want to remind our listeners once again, and those who are viewing this now, that Mike Harris made a specific promise that he would never make any cuts of the kind that would affect what goes on inside our classrooms. He has already broken that promise. We are losing junior kindergarten, special education programs and adult education programs. We are playing with our future. We are putting that at risk. And now, through Bill 160, what this government intends to do is more of the same.

They intend to take \$700 million more out of the system. They intend to lay off thousands of teachers. Once again I, like everybody else outside of this place, am asking myself, how can we improve education by taking hundreds of millions more dollars out of the system? How can we ensure that our students have more attention when we're going to ensure that there are fewer teachers, when this government is going to ensure that there are fewer teachers available to teach them? I have yet to encounter a single parent in Ontario who has complained to me that their child's teacher is spending too much time with them. In fact, it's the opposite.

Teachers right now are up against it not only inside the classroom, but they're up against it when it comes to this government. They've got a government that shows no respect for them; they've got a government that doesn't understand the challenges they have to contend with inside their classroom. Teachers need the support of their government. They need the support of their community. They don't need a government that attacks them day in and day out and, to make matters worse, attacks them with their own money, taxpayer money.

I want to come back to something I said at the outset. If people are confused about these issues, I can understand that, but I ask them to trust their instincts. I ask them to

examine the record. I ask them to think of the importance of education not only to their own children, but to our collective future. I ask them to understand what's inside Bill 160 and I ask them to ask themselves, do they honestly believe we can improve education in Ontario by taking \$700 million more out of the system after we've already removed \$1 billion, and do they honestly believe we can improve education by laying off thousands of teachers so that there are fewer teachers left to devote needed attention to our students?

The Acting Speaker: It is now 5:45. Pursuant to the order of the House dated October 6, I'm now required to put the question.

Mr Johnson has moved third reading of Bill 160. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

There will be a five-minute bell.

I've just been handed a letter from the whip of the official opposition:

"Pursuant to standing order 28(h), I request that the vote on Bill 160 be deferred until Monday, December 1, 1997."

It being close to 6 o'clock —

Mr Mike Colle (Oakwood): Oh, no. We can speak for 15 minutes.

Interjections.

The Acting Speaker: Orders of the day.

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): Mr Speaker, I call order number 9.

Mrs McLeod: Just for clarification, Speaker, you will be aware that we had additional time on the clock to address Bill 160. We were informed that the debate had to be cut off at 5:45. If it's your ruling that we can continue with orders of the day, does that mean that the debate on Bill 160 can resume?

The Acting Speaker: No. The bill has been voted on. This is why I said it was close to six of the clock. I wanted to adjourn the House until Monday, but you preferred to have orders of the day. So be it.

Mrs McLeod: I would move adjournment of the House, Mr Speaker.

The Acting Speaker: It's already done now. We've called orders of the day already.

DEVELOPMENT CHARGES ACT, 1997

LOI DE 1997 SUR LES REDEVANCES D'AMÉNAGEMENT

Resuming the adjourned debate on the motion for third reading of Bill 98, An Act to promote job creation and increased municipal accountability while providing for the recovery of development costs related to new growth /
Projet de loi 98, Loi visant à promouvoir la création d'emplois et à accroître la responsabilité des municipalités

tout en prévoyant le recouvrement des coûts d'aménagement liés à la croissance.

The Acting Speaker (Mr Gilles E. Morin): Mr Marchese had the floor when we last debated this issue. Is there any further debate?

Mr Tony Silipo (Dovercourt): On a point of order, Mr Speaker: I think it's fair to say that no one expected that we would be going into any additional debate today. I would ask that at least Mr Marchese's time or spot be held over for him to be able to come back to this when we come back to a debate.

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): On a point of order, Mr Speaker: I believe a Liberal member wanted another order called. Unfortunately, a New Democratic Party member was —

Mrs Marion Boyd (London Centre): We were not consulted.

Hon Mr Sterling: I'm sorry, that's what happened here. Mr Marchese, who was speaking on this bill, is not present. I am willing to recognize the clock at 6 o'clock and have the debate remain in Mr Marchese's hands if that is the unanimous consent of the House.

The Acting Speaker: I will recognize a member of the third party.

Mr Bud Wildman (Algoma): On a point of order, Mr Speaker: I understand what the House leader is saying, but could you please clarify for us who the last speaker on Bill 98 was?

Interjection: Mr Marchese.

Mr Wildman: No, that's not right.

Mrs Boyd: Mr Bradley.

Mr Wildman: Mr Bradley was the last speaker. Is that correct?

The Acting Speaker: Mr Bradley was the last one. I will now recognize a member from the third party. Further debate?

Mr Silipo: I move adjournment of the House.

The Acting Speaker: Mr Silipo has moved adjournment of the House. Is it the pleasure of the House that the motion carry? No. Therefore, I will recognize whoever will speak on behalf of the third party. The motion was lost, and I'm calling for a member from the third party to debate. Mr Silipo, you have the floor?

I recognize the member for Scarborough East.

Mr Steve Gilchrist (Scarborough East): I am pleased to continue the debate on Bill 98 and indeed to recognize, in the few minutes we have left to us here this afternoon —

Interjection.

The Acting Speaker: Order, please, just for one minute.

Here is another little problem we will fix. You have spoken already on that bill.

1750

Hon Mr Sterling: If there are no further speakers, call the question.

The Acting Speaker: I understand that the member for Durham East wants to speak on the issue.

Mr John O'Toole (Durham East): I would defer to Mr Sterling. Bill 98 obviously —

Interjections.

The Acting Speaker: Order. There's some confusion here. I hope we can solve it. Who is it? The member for Durham East or the —

Hon Mr Sterling: He's going to go ahead.

The Acting Speaker: Member for Durham East, you now have the floor.

Mr O'Toole: Bill 98, as we all know, deals with the Development Charges Act, which is a very important piece of long-overdue legislation, an act to create jobs and increase municipal accountability. In fact, the Development Charges Act has been in debate since it was brought in, I believe, by the Liberal government, a very unfair formula where new home buyers were required to absorb an increased cost when purchasing their home. In fact, it really kind of goes on their mortgage. To me, that was unacceptable. But we've developed a new quantum, a new formula, which excludes and prohibits certain charges from being passed on that weren't part of the cost of growth.

Clearly, there are probably others who wish to comment on this important piece of legislation and the definitions in there. The background on this bill goes back a long way. I think during the public hearings we all heard that it was a very reasonable solution, with long-overdue amendments to a piece of legislation —

1750

Mrs Lyn McLeod (Fort William): Mr Speaker, on a point of order: I'm seeking clarification on my earlier motion to adjourn the House. I'm looking at the standing orders and I would appreciate your adding to what is not here in the standing orders.

My understanding, just from what I'm reading in standing order 45(a) on page 38, is that "Motions to adjourn the House or the debate may not be moved until after oral question period except upon unanimous consent of the House." Clearly it was after oral question period and, as I read this, it would not have required unanimous consent of the House to move a motion for adjournment. I'm wondering why my motion did not stand and could not be voted on.

The Acting Speaker: The difficulty was, member for Fort William, that when you stood up to adjourn the House, it was on a point of order. You didn't have the floor properly.

Interjection.

The Acting Speaker: We did. We asked the question and that was it.

We will now continue the debate by the member for Durham East.

Mrs McLeod: Mr Speaker, if I may, on the point of order —

The Acting Speaker: On the same issue? No, I've decided that the issue is over. We've decided it. The member for Durham East now has the floor.

Mr O'Toole: I hate to be interrupted because I have spent some time preparing for this very important debate.

As members would know, this bill was introduced back in November 1996. It's time to get on with change. I know the opposition find it extremely difficult to get on with making the important changes to bring the economy of this province back on its feet once and for all.

Before I was interrupted, Mr Speaker, you would know that I was talking about the exemption of certain inclusions in the development charges formula. I know members here who have served municipally understand that the formula was very problematic. What they call the quantum for developing the Development Charges Act of the day was very encompassing. In fact, you could be building park gazebos and charging them to those first-time home buyers. Think of how unfair that was really. I think back to my own experience on Durham regional council. The most common complaint I heard was, "There is only one taxpayer."

The issue of the day is clearly that the inclusion of the exemptions that were not specific to growth was long overdue. I know even in the public hearings we heard from first-time home buyers, we heard from the home builders themselves who clearly said to us: "It's your choice. Are you going to increase the price of homes or are you going to allow first-time home buyers?" The big problem when you put this on to their mortgage is that they're going to be paying, over 25 years, up to \$20,000 on the mortgage as a result of the development charge: the local development charge, the regional development charge and in some instances the education development charge. It's long overdue.

I was most interested in reading some of the definition clauses here with respect to the role of the Ontario Municipal Board. They will be holding hearings to deal with any notice of appeal relating to the conflict forwarded to them by the clerk of the municipality, and the parties to the appeal are to appeal before the municipality first. The whole issue of appeals and resolution of appeals was a further streamlining in improving the hearings process itself.

The background studies are very, very clear and the whole discussion on the way up to developing this important Bill 98, the consultation with the home buyer, the home builder, the development industry, the municipalities. All were on record as saying that the Development Charges Act was clearly in need of change.

I'm going into the earlier definitions of the act. I believe the limitations of service is probably the most important controversial item of the bill. Limitations on the services and the costs for which development charges can be imposed is central to the whole issue. An exemption is made for small industrial expansions. Think of the job creation factor. When you start to think that every time they went for a building permit, we have exempted the addition of floor space for small commercial-industrial, and I believe every member of this House realizes the importance of the small commercial outlet. Exempting them from a development charge was long overdue.

Charges cannot be imposed for the part of that increase that can be met within the municipality's existing capacity. In fact, any growth clearly should pay for itself. Growth should pay for growth. That has always been the argument with development charges. There's a lot of upfront costing, where the municipality goes through it and says: "We have a plan of subdivision. It's going to add 500 homes, and that means added capacity in pipes and wires and other infrastructure." Clearly those are the costs that should be borne by those 500 additional homes on that site plan development application.

When that has happened, when you look at community arenas and libraries and other areas that are shared by all residents across a municipal area where the development charge is developed, clearly it's fair that that should be shared on the broader tax base.

A number of aspects of this bill, I think part IV of the act, deal with the transitional issues, because we know that when you make any change in legislation you are caught in a transition from those who paid the scale or the quantum under the old bylaw and those who will pay for the new quantum or the new formula for funding under the new bylaw.

I put to you that it's the only piece of our comprehensive tax legislation which initiates a designation to stimulate investment in jobs, investment in our communities. In fact, that's what our whole government agenda is all about: creating jobs and hope or opportunity.

Updating the rent control by the Tenant Protection Act is another example of a piece of legislation we just passed. In front of us next week, I believe, in the next few days, the House leader has mentioned the actual value assessment, a long-discussed, long-overdue piece of legislation that this government is going to be bringing forward to get on with the job, to make the decisions that are necessary to make this the greatest province in Canada.

When I look across the floor, there is a whole series of red tape bills that are being opposed by the opposition, and really they're eliminating barriers to growth. Individually, the red tape bills — I might add that there are about 15 of them at the moment that Mr Frank Sheehan has worked with each ministry to bring forward —

Mr John Gerretsen (Kingston and The Islands): On a point of order, Mr Speaker: The member just made a totally erroneous statement when he said that the opposition has voted against the red tape bills when in fact we —

The Acting Speaker: This is not a point of order.

Mr O'Toole: Mr Speaker, there are some interruptions, but I believe all members want to participate in this because of the importance of not only the development charges bill that we're talking about but of the small taxpayer.

The Acting Speaker: It being 6 of the clock, this House stands adjourned until Monday at 1:30 of the clock.

The House adjourned at 1800.

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**Legislative Assembly
of Ontario**

First Session, 36th Parliament

**Assemblée législative
de l'Ontario**

Première session, 36^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Monday 1 December 1997

Lundi 1^{er} décembre 1997

Speaker
Honourable Chris Stockwell

Clerk
Claude L. DesRosiers

Président
L'honorable Chris Stockwell

Greffier
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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 1 December 1997

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 1^{er} décembre 1997

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

EDUCATION REFORM

Mr Michael Gravelle (Port Arthur): As the Mike Harris government attempts to ram Bill 160 through the Legislature this very afternoon, it's becoming more and more apparent that this gang has neither the vision nor the intention of improving education in our province. If they had, the 615 students who attend Prospect Avenue, St James and Shuniah public schools in my riding of Port Arthur would not have been met with the news last week that their schools are tentatively slated for closure at the end of this year.

This decision has been reluctantly rendered by the Lakehead Board of Education in fearful anticipation of this government's still unreleased funding formula, which will, with its inflexibility, force our trustees to view education simply as a business rather than as a system meant to bring out the best in our students. As a result, these three schools which serve as important community-building and neighbourhood-enhancing institutions in the downtown area of my riding may close, forcing parents to bus their children to crowded schools outside their neighbourhoods.

The sad thing is that this government's lack of vision for what our schools can be sets up a future that shuts out neighbourhood involvement completely. Why can't our schools have more day care centres, community police officers, health centres and social workers working together with the students in our schools on a day-to-day basis? The fact is that with some funding flexibility, they could. What a marvellous learning environment that could be.

To the parent councils of all three schools, I support you in your efforts to keep your schools open. This is truly a battle worth fighting.

TAOIST TAI CHI SOCIETY

Mr Rosario Marchese (Fort York): It gives me great pleasure to bring to the attention of this House the extraordinary work being done by the Taoist Tai Chi Society. The society's major aims are to promote the

practice of Taoist Tai Chi in order to help people improve and maintain their health, to promote cultural exchange and to help others in charitable ways.

With Master Moy's leadership, members of the society recently donated \$1.2 million to complete a new 72-bed health recovery centre in Orangeville, Ontario.

People with chronic illness frequently find that conventional western medicine has no cure available for their problem. People with multiple sclerosis, Parkinson's disease, stroke and heart disease have little hope of restoring themselves to their original state of health. Taoist Tai Chi practice is an effective way for these people to access their body's inborn healing mechanism. Strength, coordination and independence return through daily practice of Taoist Tai Chi.

I want to congratulate Master Moy and the Taoist Tai Chi Society on this very exciting health recovery centre funded through fees charged to students and donations to the society. It will surely enable people to enjoy good health for many years to come.

PHYSICIANS' SERVICES

Mr Tom Froese (St Catharines-Brock): I'm pleased to report that the doctor shortage is easing in the city of St Catharines. I recently read in the St Catharines Standard that in the last three months alone, five family physicians have opened practices in the city. That many new doctors translates into care for 10,000 patients, as each physician expects to provide care for approximately 2,000 patients.

It proves the government's approach to encourage new doctors to settle in rural, small and medium-sized urban centres is working. It is quite possibly working because those new doctors and their families realize that there are many benefits in smaller communities, such as a slower pace, friendliness and caring between neighbours, and less crime. Whatever the reasons, the new doctors are very welcome because it means the people of St Catharines, and in fact the entire Niagara region, are getting the direct patient care they need.

Three of the new physicians are Dr John Taliano, a fifth-generation health care practitioner, Dr Jane Rusnak, a recent graduate of Queen's University, and Dr Christopher Lynett, a Niagara Falls native who recently graduated from McMaster medical school. I would like to welcome the doctors to the city of St Catharines and offer encouragement to others who might be considering a change or setting up practice for the first time.

EDUCATION REFORM

Mr Rick Bartolucci (Sudbury): The government has used unusual, if not despicable, means to achieve its goals in educational reform. For two and a half years, Mike Harris has tried to divide and conquer the educational partners in order to achieve his own agenda.

He tried to pit parents and students against teachers in his ads. Did it work? To use Mike Harris's own words, I don't think so. He tried to pit trustees against parents. Did it work? To use his own words, I don't think so. He tried to pit trustees against teachers. Did it work? As Mike Harris said on television, I don't think so. He tried to pit trustee against trustee. Did it work? I don't think so. He tried to pit system against system. Did it work? To quote Mike's now famous words, I don't think so.

Mike Harris has tried all this to divide and conquer, but what has happened? Parents now believe more strongly in public education than they have ever done before. Students have demonstrated in many valiant ways the importance of teaching and teachers. Trustees now support what parents, teachers and students have told them: that public education is worth fighting for.

Has Mike Harris been successful?

Interjections: I don't think so.

Mr Bartolucci: You're right. I don't think so.

Will the students, parents, trustees, teachers, principals and vice-principals remember what Mike Harris tried to do to public education? To use their words, I think so.

HEART AND STROKE RESEARCH

Mrs Marion Boyd (London Centre): On Tuesday, November 25, the Heart and Stroke Foundation announced a research initiative, the researcher endowment program, which will provide funding totalling \$6 million to individual researchers and institutes. This is the largest single investment in individual researchers in Ontario, accomplished through partnerships with three research institutions.

Scientist Dr Brian Rutt of London, Ontario's, John P. Robarts Research Institute is one of the first recipients of a \$2-million endowed research chair. These funds will benefit both the researcher and the institute. Dr Rutt, a Canadian, is acknowledged to be one of North America's leading experts on medical imaging. With the outstanding vascular imaging facilities that have been established at Robarts and the London Health Sciences Centre over the past decade, this research chair means that London, Ontario, is now a focal point for vascular imaging research in Canada. One million dollars was committed by the foundation and matched by Robarts.

The Hospital for Sick Children and McMaster University also received endowed research chairs through the initiative.

There is a very real threat of our best researchers fleeing Ontario in search of more attractive environments. In the past 10 years, close to 13% of heart and stroke researchers have moved from the province, so this is an

excellent development and one which we should all applaud and support through the Heart and Stroke Foundation.

1340

ELDRED KING

Mrs Julia Munro (Durham-York): As the member of provincial Parliament for the riding of Durham-York, I am honoured to extend my sincere congratulations to Eldred King, who is retiring after more than 30 years of public service in the region of York.

Born on Canada Day in 1927, Eldred served on the Markham township school board from 1965 to 1968. He switched from education to municipal politics in 1969 and served as a Markham councillor until 1970. He was then elected to council in Whitchurch-Stouffville from 1978 to 1984, when he was elected York region chair, a position he has held until the present.

Eldred always preferred to shun the spotlight. He was in his element working behind the scenes unless forced by his high-profile position to step forward and take the reins.

Eldred plans to return to his first love: farming. Eldred knows that in both of his chosen careers — cattle farming and politics — there are several pieces of essential knowledge: knowing the difference between having something productive within your grasp as opposed to being left holding the bag, and knowing when to walk the fine line without stepping into...difficulty.

Eldred, the leadership you have demonstrated during more than 30 years of public service in York region is evident in the quality of life that all your constituents enjoy.

EDUCATION REFORM

Mrs Lyn McLeod (Fort William): Bill 160 is proving to be a defining point for the Harris government's education agenda, and it is only too clear that their agenda is not related in any way to improving the quality of education.

Bill 160 is about the main agenda of the Harris government, the delivering of the tax cut, and it is about the less public part of that agenda: the need to make cuts of more than \$1 billion to education in order to deliver that tax cut. The Harris government was prepared to sacrifice the wellbeing of 2.1 million students to achieve their political agenda.

Bill 160 is an outright attack on education as well as on the front-line people who deliver education to our students and it is an unprecedented power grab, but an unprecedented grab for power on the part of a government with a destructive agenda led to an unprecedented protest on the part of 126,000 teachers. That, in turn, has been supported by an equally unprecedented public opposition. That opposition will not go away. It is building and it won't go away as the government hopes, once this bill is passed.

The government tried to win this not with negotiation, not by responding to concerns, but through a public relations campaign that would camouflage their real agenda

and allow them to seize the control they needed, but they lost because their agenda was exposed. A public that truly cares about education and is more aware of how it can be and is being threatened, is going to be very vigilant when this government begins to exercise its powers. More and more people are proving that they are prepared to stand up for what they believe in, and they will continue to do that.

Ms Marilyn Churley (Riverdale): In anticipation of the government backbenchers caving in to what they know is a very bad bill which is coming forward in a few minutes for a vote — we thought for a while that a few of the brave members over there might take a courageous stand but they are obviously not going to — I want to tell people about an event that is happening tomorrow, Tuesday, December 2. It's put on by Harbord Collegiate Institute and they're calling on people to come together in an event called "Mourning the Death of Public Education." This is a funeral procession — they say, New Orleans-style — from Harbord Collegiate Institute to Queen's Park from 3:45 pm on, and they want people to join them at any point along the route. That would be from Harbord Collegiate to Queen's Park.

What they say is that this is the death of public education and that: "This mock funeral is a symbolic demonstration against the dismantling of Ontario's public education system. Education has evolved in the public realm for 150 years. As a grassroots coalition of concerned parents and teachers, we feel compelled to draw attention to the present government's desire to put fiscal concerns above a child's right to learn." I urge everybody to get out there tomorrow and join in this march.

SOCIAL ASSISTANCE REFORM

Mr Frank Klees (York-Mackenzie): I am pleased to rise on behalf of many constituents who have expressed their support for the government's initiative recently in passing Bill 142. Many people in my constituency have approved of the initiatives that have been taken by this government to restore responsibility to the social services system in this province.

For too many years, governments have failed to meet their responsibility to the very people they intend to serve. People on social assistance deserve the support of government but it is also true that people on social assistance want to do their part to meet the needs for themselves. They want to see employment, and through Bill 142, this government is prepared and able to come to the aid of those individuals who have needs in our community, to give them the tools, the responsibility, to work for a living.

We know that over the next number of years, as the implementation of Bill 142 takes place in this province, we will continue to see less reliance on social assistance and much more self-sufficiency. The fact that almost 250,000 fewer people are on social assistance than in June 1995 shows that this government is on the right track. We will continue to do the right thing for the people of this province.

ROYAL ASSENT SANCTION ROYALE

The Speaker (Hon Chris Stockwell): I beg to inform the House that in the name of Her Majesty the Queen, Her Honour the Lieutenant Governor has been pleased to assent to certain bills in her office.

Clerk at the Table (Mr Todd Decker): The following are the titles of the bills to which Her Honour did assent:

Bill 61, An Act to simplify government processes and to improve efficiency in the Ministry of the Attorney General / *Projet de loi 61, Loi visant à simplifier les processus gouvernementaux et à améliorer l'efficacité au ministère du Procureur général.*

Bill 96, An Act to Consolidate and Revise the Law with respect to Residential Tenancies / *Projet de loi 96, Loi codifiant et révisant le droit de la location à usage d'habitation.*

Bill 142, An Act to revise the law related to Social Assistance by enacting the Ontario Works Act and the Ontario Disability Support Program Act, by repealing the Family Benefits Act, the Vocational Rehabilitation Services Act and the General Welfare Assistance Act and by amending several other Statutes / *Projet de loi 142, Loi révisant la loi relative à l'aide sociale en édictant la Loi sur le programme Ontario au travail et la Loi sur le Programme ontarien de soutien aux personnes handicapées, en abrogeant la Loi sur les prestations familiales, la Loi sur les services de réadaptation professionnelle et la Loi sur l'aide sociale générale et en modifiant plusieurs autres lois.*

Bill 148, An Act to deal with matters relating to the establishment of the new City of Toronto / *Projet de loi 148, Loi traitant de questions se rapportant à la constitution de la nouvelle cité de Toronto.*

The Speaker: Thank you.

A point of order, member for Welland -Thorold.

Interjection.

The Speaker: I appreciate it and I might know what your point of order is; but until you give it I can't allow the ribbon to be worn. I appreciate it.

Mr Peter Kormos (Welland-Thorold): On a point of order, Speaker: In recognition of AIDS awareness and in view of the underfunding by the federal government —

The Speaker: Member for Welland-Thorold, you know what I need —

Interjection.

The Speaker: Unanimous consent to wear ribbons? Agreed.

Mrs Lyn McLeod (Fort William): On a point of order, Mr Speaker, it seems somewhat odd that there would be a gallery half full on a day when I know there are a great many people who want to get in to observe the vote on Bill 160. I have been informed by the table that there is a reserved place for a school tour. I think it's important to make people aware that that's why the gallery seems somewhat empty at this point. I just wondered if I can inquire as to what time the school tour is scheduled to

arrive in case there's any possibility of accommodating more of the public.

The Speaker: They are here now.

VISITOR

The Speaker (Hon Chris Stockwell): In the gallery I believe is the member of the 35th Parliament for Quinte, Mr Hugh O'Neil. There he is.

DEFERRED VOTES

EDUCATION QUALITY

IMPROVEMENT ACT, 1997

LOI DE 1997 SUR L'AMÉLIORATION DE LA QUALITÉ DE L'ÉDUCATION

Deferred vote on the motion for third reading of Bill 160, An Act to reform the education system, protect classroom funding, and enhance accountability, and make other improvements consistent with the Government's education quality agenda, including improved student achievement and regulated class size / *Projet de loi 160, Loi visant à réformer le système scolaire, à protéger le financement des classes, à accroître l'obligation de rendre compte et à apporter d'autres améliorations compatibles avec la politique du gouvernement en matière de qualité de l'éducation, y compris l'amélioration du rendement des élèves et la réglementation de l'effectif des classes.*

The Speaker (Hon Chris Stockwell): Call in the members. This will be a five-minute bell.

Mrs Lyn McLeod (Fort William): On a point of order, Mr Speaker: I would like to see some clarification on —

The Speaker: Yes, I received more information with respect to that point of order from the government and the third party. I didn't really get an opportunity to read them so I won't be ruling today. That's the best I can tell you.

Mr James J. Bradley (St Catharines): You will be ruling with respect to this bill?

The Speaker: It's 164 that it's affecting. It doesn't have any effect on either of the other bills.

Interjections.

The Speaker: Members, I know what it does. I guarantee you I understand it. It's 164.

Call in the members. This will be a five-minute bell.

The division bells rang from 1351 to 1356.

The Speaker: All those in favour, please rise one at a time to be recognized by the Clerk.

Ayes

Amott, Ted
Baird, John R.
Barrett, Toby
Bassett, Isabel
Beaubien, Marcel
Boushy, Dave
Brown, Jim

Hardeman, Ernie
Harnick, Charles
Harris, Michael D.
Hastings, John
Hodgson, Chris
Hudak, Tim
Jackson, Cameron

Parker, John L.
Pettit, Trevor
Preston, Peter
Rollins, E.J. Douglas
Ross, Lillian
Runciman, Robert W.
Sampson, Rob

Carr, Gary
Carroll, Jack
Chudleigh, Ted
Clement, Tony
Cunningham, Dianne
Danford, Harry
DeFaria, Carl
Doyle, Ed
Ecker, Janet
Elliott, Brenda
Eves, Ernie L.
Fisher, Barbara
Flaherty, Jim
Ford, Douglas B.
Fox, Gary
Froese, Tom
Galt, Doug
Gilchrist, Steve
Grimmett, Bill
Guzzo, Garry J.

Johns, Helen
Johnson, Bert
Johnson, David
Johnson, Ron
Jordan, W. Leo
Kells, Morley
Klees, Frank
Leach, Al
Leadston, Gary L.
Marland, Margaret
Martiniuk, Gerry
Maves, Bart
McLean, Allan K.
Munro, Julia
Murdoch, Bill
Mushinski, Marilyn
Newman, Dan
O'Toole, John
Ouellette, Jerry J.
Palladini, Al

Saunderson, William
Shea, Derwyn
Sheehan, Frank
Skarica, Toni
Smith, Bruce
Snobelen, John
Spina, Joseph
Sterling, Norman W.
Stewart, R. Gary
Tascona, Joseph N.
Tilson, David
Tsubouchi, David H.
Tumbull, David
Vankoughnet, Bill
Villeneuve, Noble
Wettlaufer, Wayne
Wilson, Jim
Witmer, Elizabeth
Wood, Bob
Young, Terence H.

The Speaker: All those opposed, please rise one at a time to be recognized by the Clerk.

Nays

Agostino, Dominic
Bartolucci, Rick
Bisson, Gilles
Boyd, Marion
Bradley, James J.
Brown, Michael A.
Caplan, David
Castrilli, Annamaria
Christopherson, David
Churley, Marilyn
Cleary, John C.
Colle, Mike
Conway, Sean G.
Cordiano, Joseph
Crozier, Bruce
Cullen, Alex

Curling, Alvin
Duncan, Dwight
Gerretsen, John
Grandmaitre, Bernard
Gravelle, Michael
Hampton, Howard
Hoy, Pat
Kennedy, Gerard
Kormos, Peter
Kwinter, Monte
Lalonde, Jean-Marc
Lankin, Frances
Laughren, Floyd
Lessard, Wayne
Marchese, Rosario
Martel, Shelley

Martin, Tony
McGuinty, Dalton
McLeod, Lyn
Miclash, Frank
Morin, Gilles E.
North, Peter
Patten, Richard
Phillips, Gerry
Pouliot, Gilles
Pupatello, Sandra
Ramsay, David
Ruprecht, Tony
Sergio, Mario
Silipo, Tony
Wildman, Bud
Wood, Len

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 81; the nays are 48.

The Speaker: I declare the motion carried. Be it resolved that the bill do now pass and be entitled as in the motion.

Interruption.

The Speaker: Clear this gallery, please.

The House will recess for 15 minutes.

The House recessed from 1404 to 1420.

WORLD AIDS DAY

Hon Elizabeth Witmer (Minister of Health): Mr Speaker, on a point of order: I would like to request unanimous consent to make statements on World AIDS Day.

The Speaker (Hon Chris Stockwell): Unanimous consent for statements on World AIDS Day? Agreed.

Hon Mrs Witmer: I want to speak today on the occasion of World AIDS Day. In so doing I am pleased to reaffirm this government's commitment to the people of Ontario that fighting HIV and AIDS is a high priority. The theme this year is Children Living in a World with AIDS. It is a very appropriate theme because the threat of this disease does pose a tremendous problem for our children.

Worldwide, one in eight people affected with the AIDS virus each day is a child. According to a report published by the United Nations last week, of the 2.3 million people who have died of AIDS this year, one fifth, or 460,000, were children under the age of 15, a rise of almost 25% on the previous year. It is truly a wake-up call for all those who mistakenly believe this to be a disease that strikes only the homosexual population. This is a disease that reaches across all social, economic, class and age boundaries.

In Ontario every year 16,000 people are diagnosed with HIV, the virus that can lead to AIDS. We must continue to be proactive in addressing the threat that HIV and AIDS pose to all the people of this province. From day one our government has made HIV/AIDS prevention, care, treatment and support a high priority. We do more for people living with HIV and AIDS than any other province, with \$50 million committed for this year alone, which exceeds federal spending by more than \$9 million, and this figure of \$50 million does not include doctor billings to OHIP, hospitalization and drug therapies for HIV and AIDS patients.

We must be unrelenting in our fight to stop the disease spreading, and we must continue to encourage people to join the battle, taking responsibility not only for their own health but the health of their relatives and friends. It's up to all of us, because we can all do our part.

I would like at this point to acknowledge the work of individuals who have helped the Ministry of Health and this government keep focused on the important issues over the years. Andrew Lafontaine, who died in January this year, served as the co-chair of the Ontario Advisory Committee on HIV/AIDS for over a year. His work and his insight will be greatly missed. Continuing his work are the committee co-chairs, Mr David Hoe of Ottawa, a respected voice in the AIDS community, and Dr Anne Phillips of Toronto.

There are many more people supporting these individuals who work tirelessly in the community to educate, treat and support those living with HIV and AIDS. On behalf of all Ontarians, we owe them a great deal.

Finally, we are encouraged by the federal government's continuation today of their national strategy to continue to address this devastating disease. Together, along with this province's significant ongoing commitment, we can achieve a healthier future for ourselves, our children and their children.

Mr Gerard Kennedy (York South): I rise to add to the recognition necessary on World AIDS Day. We have an emphasis this year on children and AIDS, but it only helps to remind us, all of us, how the infection of AIDS is unfair and all those infected are innocent. We have a disease that has taken some five million people. We also have many, many people living in our communities today who deserve not just our sympathy but our abiding respect for the kind of travail they have to put up with.

We understand that this disease has had a devastating impact on their lives and we recognize that the very success, to the extent we can call it success, there has been in

dealing with this disease has led to new challenges for them and for our communities. We have to remember the people who are coping with AIDS; we have to recognize as well the thousands of people who are caregivers and supporters to people who are afflicted with HIV and AIDS, and the efforts that are being made to search for a real cure.

Since its recognition 16 years ago, five million people have died, and every day there are 10,000 new people affected, more than 100 of whom are children. When we look at the 20,000 cases confirmed in Canada today, we recognize the huge responsibility that everyone in this society has to bear for this new disease, a disease that, once apprehended, we all live with the responsibility of knowing we were slow to respond to. That can only act today to spur us on not to allow us to become in any way complacent in dealing with the new challenges that the treatment and the management and the push to solve this disease present to all of us.

We look at some of the challenges, for example, in terms of the infection rates for intravenous drug users and we recognize that what happened in Vancouver could happen in cities in Ontario. There is no room in the world of AIDS and HIV for complacency on the part of any of us in the elected officialdom. In terms of our moral responsibilities, we have yet to exercise them fully in this regard.

We recognize that low economic status contributes to some of the vulnerability, that poor health conditions, that high rates of transmission of other sexually transmitted diseases can create some of the trends that have developed elsewhere.

There are also increasing infection rates for aboriginal people. Before 1990 there were 32 persons so recognized, today there are 305. While women were only 6% of those infected with AIDS in the past, in 1990, today they are over 11%. The idea of recognizing our commonality here in Ontario with the rest of the world in coming to terms with the new challenges of this new disease: We are still not at the point where we can say we have reckoned with that, that we have dealt with what AIDS really needs to mean to us to be able to be dealt with. We have advantages here, in a civilized, modern and organized world, both medically and socially to be able to respond. Our lack of responsiveness in the past has to be our signal for what we do in the future.

We need to recognize that needle exchange programs do work and that they do prevent disease. As we look at the downloading of public health, the commitment needs to be made by each person in this House, talking in their municipalities, to make sure those kinds of programs are absolutely guaranteed to continue. We have to look at what will happen in terms of STD awareness programs, in terms of other substance abuse programs that are very much part of any strategy to respond. We have to look at keeping the rate of HIV infection where it is and reducing it with very, very proactive programs.

There are other needs that we need to recognize and, when we recognize them, immediately respond to. We've had a call in this country for testing pregnant women for

HIV and AIDS, and we need to do that, starting right away. There is a need to do the small things that accommodate the loss in quality of life, but the preventive, the smart things as well. Formula should be made available to mothers who are at risk for HIV and AIDS so that they aren't in that instance breast-feeding and running the higher risk. We don't have programs that do that today.

While we know there is some advancement, some better quality of life for people infected with HIV and AIDS, we recognize that we have not turned a corner. We have not dealt with the ramifications of people living longer, of people needing more support to reintegrate into the world they thought they were leaving, given our outlook on AIDS before. We need to embrace the people living with AIDS in a way that we've been — if not reluctant, then at least we certainly don't have the action to back up that sentiment today.

1430

We need to make sure our strategies are integrated and respond to everyone who is infected by AIDS and all those risk populations that may exist in the future. We have the Trillium drug program, which is in part a response to their needs, and for which the government that put it in place and the government that continues it need credit, but it is underutilized. We need to work harder with those populations that are affected to make sure those benefits are being fully realized. We need to stop some of the game playing that happens to people with AIDS who end up going on welfare to become eligible for programs because some of the qualifying incomes are too high.

There needs to be, in other words, a real thrust on our part, hopefully one that's non-partisan and one that allows us to really embrace AIDS for what it is, a societal responsibility, and one that will only be dealt with when everyone in this House — because we are the representatives, we are the ones who have to come to terms with social questions like this, and we can't harbour any other outlook but that here, on World AIDS Day, we take responsibility.

Mrs Marion Boyd (London Centre): I feel privileged to have an opportunity to speak today on World AIDS Day. I'd like to begin by paying tribute to the thousands of men and women across this country who live every day with the prospect of AIDS and HIV infection, to honour and salute their courage in the work they have done, and to all those who volunteer and who work with the various community agencies and hospital programs who, taking their lead from the courageous people who experience AIDS in their own life, offer the kinds of services that take into account their special needs.

We have indeed got a great deal to be proud of in terms of our response within Ontario to a situation that I think 20 years ago we would not have believed could happen. The numbers of people who are affected and potentially affected through AIDS in our own communities is only just beginning to be known to all of us, and there's hardly a family that hasn't been affected in some way by this dreaded disease. It is something that should draw us together as communities as we work to try to provide serv-

ices that are adequate, services that are appropriate, services that are driven by the choices of those who require the services themselves.

This year in Vancouver there was a very lengthy and expert conference that looked at the whole issue of AIDS, its treatment and its prevention. We were able to learn a great many things about the different approaches that have been taken around the world. One of the reports out of that conference was a report called HIV Prevention Works. I think we should listen to some of the principles that report had, because it's very important, as we do our work here in the Legislature, that we understand that AIDS is an issue that is affected by virtually every form of public policy.

One of the major aspects of prevention that was brought out at the HIV Prevention Works conference was that multisectoral participation and community partnerships are necessary to reduce the spread of AIDS. Multisectoral, of course, refers to the variety of sectors such as education, health, transportation, justice, welfare and non-governmental agencies, as well as the government agencies like health, that are most involved.

It is essential we understand that this epidemic is focused disproportionately on individuals who are already marginalized in our society and are underserved by formal institutions and programs. That includes, of course, the children and women who are increasingly affected by HIV and AIDS, because many of the programs that have been set up have not been set up to deal in an age-appropriate or gender-appropriate way with the changing face of AIDS infection.

Similarly, in many of our multicultural communities and in our aboriginal communities there has not been education and information in the appropriate way for those communities to come to grips with the special needs their community members have when faced with this problem.

As a provincial government, there are many areas in which we need to be vigilant to be sure the policies of government are in fact directed at this multisectoral approach to AIDS prevention and AIDS relief. It is extremely important that we be sure our social assistance programs are adequate to deal with those who are infected. We heard, as we went around the province, about the new program, that there was concern around prejudice against those who might be affected by HIV and AIDS through shared needles because of the prohibition for the provision of services to those who have become disabled as a result of drug use. It is important we recognize that we provide encouragement and support to community agencies to broaden their services, not require them to necessarily focus just on the status quo, but to enable them to begin to deal with the new groups of those who are likely to be infected by HIV.

The HIV Prevention Works conference said that the populations hardest hit by the epidemic are already facing other health, social and economic challenges. In concrete terms, this means that HIV prevention strategies need to address poverty, work to end violence against and the exploitation of women and children, and promote the

human rights of ethnic minorities refugees, immigrants, drug users, sex workers and the poor.

It is also essential that our programs treat equally, without respect to gender, to age, to sexual orientation, those who require the services our communities provide.

As we sit in the Legislature this evening, we'll be discussing Bill 152, which puts the responsibility for public health squarely in the laps of municipalities. It is extremely important that when we download those kinds of services, we be sure that the essential prevention work that has been done, the epidemiology work, the needle exchanges, the information about sexually transmitted diseases, the provision of condoms, all of those services that are now offered in some locations through public health offices, continue to be offered across the province.

There is real concern that those municipalities which may not have embraced the need for these services may not see the importance of continuing the work that has begun and has been seen to be so successful in centres like Metropolitan Toronto, particularly the city of Toronto, which has put a good deal of emphasis on this area.

As we recognize World AIDS Day, we need to recognize that there is much to be done, that we cannot rely simply on health services to do that work but that we must rely on all aspects of our society to ensure that we continue to work to prevent and to provide comfort where AIDS and HIV are an issue.

1440

ORAL QUESTIONS

EDUCATION FINANCING

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Minister of Education. Minister, for all intents and purposes, Bill 160 is now law. You have throughout ignored and rejected the pleas of Ontarians who have said that this is not about improving education in Ontario, it's about an effort on the part of this government to take control of education right down to the last detail in every community where education is going to be delivered and it's about this government getting that control so it can take money out of the system.

I want to give you an opportunity today to allay those fears. I want you to tell me that you're going to exercise that power to ensure that any savings you find will be reinvested in education. Can you please now stand up in this House and promise that any savings you find, any penny you find by means of savings, will be reinvested back into the classroom?

Hon David Johnson (Minister of Education and Training): This government has listened to parents and people concerned about the education system. Those people have been voicing their opinions for years and years and years that great reforms, great changes need to be made in the education system. The report cards and the curriculum and the opportunity for our students to have the

same time in the classroom as students in other jurisdictions have, these are the changes in the program as a whole and these are some of the changes in terms of restricting the average class size that are located in Bill 160. The government is focused on them.

In terms of the funding, this government has stated before, and I'll state again, that we will ensure that every nickel is spent, whatever that takes, to ensure a high-quality program in the education system. If at the end of the day there's a saving to the taxpayer, then so be it. That's exactly what this government is here to do: ensure financial stability as well as excellence in education.

Mr McGuinty: Let's talk a little bit about where the rubber is going to hit the road here. We now know that your ministry is saying it can get up to \$449 million out of Metro's public school system. What that means, we've been told by the people at the Metro public school board, is that this is what you're putting at risk: junior kindergarten, adult education, breakfast programs, school psychologists, special education for kids with mental and physical disabilities, English as a second language, remedial reading, speech pathologists.

Understand, you're in the driver's seat. You wanted control; you've got it. I want you to exercise that control by guaranteeing that not a single one of those programs will be lost to the Metropolitan public school board because of what you're about to do through Bill 160.

Hon David Johnson: The difficulty in responding to the Leader of the Opposition is that he pulls numbers out of the area of, what was it, \$449 million? Who knows where he gets these numbers?

But to respond directly, this government has indicated that there will be a fair and equitable funding formula. I think the Leader of the Opposition is well aware of this. The government has been working with all concerned, consulting, developing the fair funding formula which will be released within the next short period of time. It will ensure consideration for language content, geography, special education, learning opportunities, adult education, transportation, administration, all sorts of components contained within the special purpose grants, as well as an accommodation grant and a per pupil grant. So there will be many factors to ensure fair and equitable treatment for all boards — large urban, small rural — right across Ontario.

Mr McGuinty: Just to bring the minister up to date on this, his officials have told Metro education officials to expect funding cuts of between \$225 million and \$449 million.

Mr Gerry Phillips (Scarborough-Agincourt): Your own officials.

Mr McGuinty: Your officials told the people at the Metro public school board that's what they can expect: up to \$449 million. Those aren't my numbers; those numbers come from your office.

All I want to know now is something about your values. Apparently you now understand what's at risk here. Some of those you are declaring to be non-essential, which means they are luxuries. I want to know, now that you're

the guy in charge of all education, which of the following are luxuries for our children: Is it special education, is it speech pathologists, is it remedial reading, is it English as a second language or is it junior kindergarten? Those are what are at risk as a result of this kind of cut. So you tell me now which of those are non-essential.

Hon David Johnson: Again the member pulls numbers out of a hat. The funding formula is being developed. The funding formula will be fair to each and every board across Ontario. It will ensure that the boards have the proper allocation of funds, through special purpose grants, through foundation grants, through accommodation grants; not only to look after the programs for the students, the special learning programs, the special education programs, the normal curriculum programs, but also to ensure proper funding for accommodation for the schools, to ensure that they're properly maintained.

I'm not announcing in advance of the final opportunity to make sure that the funding formula is precise and fair and as accurate as possible. That will be coming out in the very near future.

CHILD POVERTY

Mr Dalton McGuinty (Leader of the Opposition): My question is to the Minister without Portfolio responsible for children. Minister, you would, I'm sure, have been embarrassed to read in today's paper that there are over half a million children growing up in Ontario in poverty. In fact, that number has doubled since 1989.

You understand as well what your government has done to children since you took office. You cut their welfare by 22%. You have cut funding to children's aid societies. Furthermore, you are now making cuts to junior kindergarten.

I want you to tell me, Minister, that you're proud of the fact that there are half a million children in Ontario growing up in poverty and tell me that you're so, so proud of the government's record on the children's agenda.

Hon Margaret Marland (Minister without Portfolio [children's issues]): I appreciate this question from the leader of the official opposition because it is a very, very serious matter.

No, I wasn't proud to read that report this morning; I was saddened. I believe that every person in this Legislature who read that report today was saddened. How could we be otherwise?

In terms of the record of our government, I should point out — and I do this respect to the leader of the official opposition — that I just received the report. We tried to get a copy of the report earlier and I received it about 10 minutes ago, so I haven't been able to read it. But my understanding, from what I read in the newspaper, is that the information this report is based on is numbers and figures up to 1995.

Mr McGuinty: Just so I understand this, you're telling me that these figures stem from 1995, and in 1995 we had half a million children in Ontario who were poor. You're telling me that the fact that you've cut their welfare by

22% has somehow improved the situation and that you own no responsibility whatsoever for the state that children happen to be growing up in in Ontario. Is that what you're telling me?

Minister, I know you understand that if a child is growing up poor in our province, that means they are more likely to have poorer health, they're more likely to suffer abuse, they're more likely to have problems at school, they're more likely to drop out, they're more likely not to be able to find a job and they're more likely to have problems with the law.

It is an expensive problem, if I have to speak that language to you, not to look after our children. You know that this coming January the next instalment is due on the tax cut. I want to understand your values when it comes to Ontario's children. What do you think is more important? Shall we give that tax cut to the citizens of Ontario or are we to invest in our children when we know there are half a million growing up in poverty?

Hon Mrs Marland: I say to the leader of the official opposition that I did not say the report stemmed from numbers since 1995. What I said very clearly was that the report tells us they are dealing with figures prior to 1995 and it's very important for us to understand that.

It is also important for us to understand that in this report, which I have in front of me now, it says, "All governments, federal and provincial, must take action on child and family poverty." That is a statement by Andy Rana- chan of the Child Poverty Action Group. He also says that Ontario must reclaim its historic leadership role in progressive policies and programs for children and families.

1450

Mr McGuinty: Minister, your role now, as I understand it — you can correct me if I'm wrong — is to represent the interests of children at the cabinet table. Just so you know where Ontarians are on this, a poll came out recently produced by Angus Reid and this is what it said: "Ninety-five per cent of people in Ontario feel that the reduction of child poverty should be a very important priority for your government. Furthermore, 72% say the Mike Harris government is not doing enough for Ontario children." That report says that it's time for government to take action.

Understand that the action you have taken to date is hurting Ontario's kids. You have cut their welfare payments by 22%. Once again, I want to know where your values are on this. What's more important to you, the tax cut that is coming in the new year, or investing in our children so they can grow up and meet with some opportunity in this, the greatest province in the most blessed country on the planet?

Hon Mrs Marland: I think, since we are citing numbers, it is important for the leader of the official opposition to cite all the numbers, and one very important number is that since 1995, from 1995 to 1997 —

Ms Frances Lankin (Beaches-Woodbine): This is Janet's note to you. What she forgot to tell you is that the children are important today.

The Speaker (Hon Chris Stockwell): Order. Member for Beaches-Woodbine, I would warn you to come to order. Minister.

Hon Mrs Marland: — there are 103,616 fewer children dependent on social services in this province in the last two years.

It is also very important to recognize that we now feed 26,000 children in this province on breakfast programs. We also have a speech and language program that was referred to by the leader of the official opposition and we have a \$20-million reinvestment in that program. We established Healthy Babies, Healthy Children, another program by our government in the last two years. We also have —

The Speaker: Thank you. New question, leader of the third party.

EARLY CHILDHOOD EDUCATION

Mr Howard Hampton (Rainy River): My question is for the Minister of Education and Training. As you know, Ontario Campaign 2000 released their report on child poverty this morning and have concluded that there are more children living in poverty in Ontario now than ever before. What is most interesting is what they had to say about your government, that the change in funding for junior kindergarten, the most universally accessible early childhood program, has resulted in 23 out of 78 boards of education cancelling this high-quality program for four-year-olds.

Then they say, “The cancellation of capital funding for child care programs means that new schools will not likely be able to provide neighbourhood-based child care services that many parents want and need,” and they point out that Bill 160 takes away the Minister of Education’s authority to fund child care centres in schools.

Minister, you talk a good line on early childhood education. Are you prepared to reverse these changes? Are you prepared to act in favour of —

The Speaker (Hon Chris Stockwell): Minister of Education.

Hon David Johnson (Minister of Education and Training): What we will be prepared to do and what we are doing is to ensure that all school boards across Ontario have a fair access to funding and have fair and equitable funding for children of all ages. I have no doubt that I’ll be working with the minister for children and that we will be looking at the opportunity to reinvest in early childhood education, for example.

The Premier has indicated an interest in this. Certainly I’m interested in this. That will be an opportunity where, over the next while, we’ll be looking in terms of reinvestment. In the meantime, the school boards will rest assured that they will have fair funding for all of the children right across the province.

Mr Hampton: This sounds quite interesting. After the government has hacked and slashed all those things in early childhood education that are meaningful for children, they now say, “Maybe that was a bad idea.”

But it doesn’t end there, Minister. This is what the Canadian School Boards Association said: “Child poverty is a major education issue.” Then they point out:

“Yet the Harris government, which claims to put Ontario’s students at the head of the class, has forced more and more Ontario children into poverty. Since the Harris government took office the incomes of Ontario’s poorest families have been cut by 22%. The minimum wage has been frozen so that working poor families lost \$233 to inflation alone last year. Children now make up almost 50% of the Metro Toronto food bank users and are filling the shelters for the homeless in unprecedented numbers.”

Minister, are you now prepared to admit you were wrong? Are you going to reinvest? Are you going to put this money back into early childhood education, and when are you going to do it?

Hon David Johnson: What I will admit is that since this government has taken office, the number of people on welfare, including children and adults, has gone down by some 244,000 people in Ontario, and a majority of the adults have found employment.

The member opposite indicates concern about the number of day care spaces, for example, but the Minister of Community and Social Services indicates to me that actually the number of regulated child care spaces has grown by 9,800 since this government was elected in June 1995; 160 new licensed child care programs have been created over the same period.

One child in poverty is one child too many. I know that this government is going to be looking in many ways to encourage economic growth, to encourage —

The Speaker: Thank you. Final supplementary.

1500

Mr Hampton: This is incredible. This minister says that there are fewer children relying on social assistance. Let me tell you what has happened. You cut the social assistance; you forced them and their parents into shelters and you forced them into food banks. That’s your record. That’s what you’ve done.

The reality is this: If children can’t get enough to eat, they don’t have a very good chance of learning well when they go to school. If you’ve got six kids and parents living in a hotel room because there’s no other place for them to live, it’s hard to perform well at school. That’s the reality.

The head of the department of human development at the Ontario Institute for Studies in Education says this:

“We should be focusing our energy to as large an extent as possible on increasing our investment in early childhood education to give a maximum number of children going to school the opportunity to take advantage of what schools have to offer.”

Minister, are you going to put back in place what you’ve destroyed? Are you going to —

The Speaker: Thank you, leader of the third party. Minister.

Hon David Johnson: As I was starting to say at the end of my response the previous time, one child in poverty is one child too many. This government needs to look at all opportunities to address any situation, as previous gov-

ernments did. That's why the healthy babies program has been instituted, nutritional programs have been instituted. That's why the government has taken the initiative to promote economic growth so that, yes, the majority of the people dropping off the welfare are dropping off because —

Interjections.

The Speaker: Minister.

Hon David Johnson: This report claims that between 1989 and 1995, Liberal and NDP years, child poverty in Ontario nearly doubled. The doubling they're talking about is between 1989 and 1995.

What has this government done? Child nutrition program, 26,000 children; healthy babies program, 9,000 expectant mothers involved; Better Beginnings program reaching 5,000 high-risk families. This government is committed to ensuring that our children get off to a good start in life.

EDUCATION REFORM

Mr Howard Hampton (Rainy River): To the Minister of Education and Training: A government that blows up the family support plan and deprives children of cheques to buy food with, to provide heat with, for you to get up and then say this is really something.

I want to ask you about Bill 160. Yes, you've forced it through, you're going to force it into law, but the fight isn't going to end here, because parents, teachers and students across this province are signing petitions to gain a referendum on the repeal of Bill 160 like never before.

Your government says that you believe issues like this should be decided by referendum. That's your official position. Will you allow the people of Ontario to have a say? Will you allow the direct democracy that you brag about to come to pass on Bill 160? Are you going to grant the referendum on Bill 160 and respect the wishes of the people of Ontario?

Hon David Johnson (Minister of Education and Training): My job is as the Minister of Education, and as the Minister of Education my job is to assess not only what people are saying today, but what people have said over the years in terms of the education system. What people have clearly said, day after day, year after year for a long time now, is that we need reform in the education system. My job is to deal with that issue, to deal with that concern.

I believe the Ministry of Education has dealt very well with that in terms of many reforms coming into the system — strengthening the curriculum, the report card — through Bill 160. It's time to get on with reform. If the leader of the third party is asking, are we going to stall, are we going to delay, the answer is no. We're going ahead with reform in the education system.

Mr Hampton: There is nothing here about delay. It's all about listening to the people of Ontario; it's all about listening to all those people who are clearly opposed to your agenda. Yes, people recognize a need for change in education, but they're not interested in your cuts. They're

not interested in seeing 5,000 and 10,000 teachers laid off and you're calling that an improvement in education.

Last summer, this is what the now Minister of Transportation, then parliamentary secretary to the Premier, had to say: "I am proud that we in the Harris government are living up to our commitment to bring issues vital to our province to the people for their input and allowing their voices to be heard." He even said that he was preparing draft legislation on referenda. I put it to the Minister of Education: If you're so proud of your position, then let's see the draft legislation. You table the draft legislation so the people of Ontario can have their say on your Bill 160. Will you do that?

Hon David Johnson: The leader of the third party speculates on what people are not interested in. I can tell you what people and parents are not interested in. They're not interested any more in their children not faring well in the testing that takes place here in Ontario through the EQAO. They're not interested in the same kinds of results that unfortunately we have had with the EQAO testing. They expect better. They're not interested in the kinds of results we got in terms of testing across Canada, in terms of international testing. They think that with the amount of money we spend in the system, their children deserve better.

Bob Rae said: "In Canada, we spend per capita more on education than most other places in the world. I think it's a question of focus and a question of how we can get the system to do its job." That's what we're trying to do, and that's why we're going to reform the education system.

1510

Mr Hampton: The Minister of Education tries to refer to education funding in Canada. Minister, it's about education funding in Ontario, which now ranks 49th in North America as a result of your government's cuts already, with more to come.

What is it that you have about giving people a say? You're the government that says, "If 10% of people sign a petition asking for a referendum, there should be a referendum." That's your government's rhetoric. You've been telling people across this province that you believe in direct democracy, that you believe in consulting the people. Now is the time. We're gathering the signatures. Parents, teachers, students are gathering the signatures. They do not want Bill 160 shoved down their throats. They don't want more cuts to education shoved down their throats. They don't want to see the layoff of more teachers.

Minister, this is it. Are all your words about direct democracy, listening to the people, empty rhetoric or are you going to let the people have a say about education in this province? Are you going to call a referendum?

Hon David Johnson: First of all, to correct the lead-in to that question, the spending in Ontario per student is higher than any other province with the exception of Quebec, and the spending is almost the same, a little bit below Quebec.

Second, we do today, this year, 1997, spend \$14.4 billion on elementary and secondary schooling. The people of Ontario know that is a great deal of money and we should be achieving better results in accordance with that investment.

The third party, when it was in government, commissioned the Sweeney report. The Sweeney report showed that some 47% —

Ms Frances Lankin (Beaches-Woodbine): Let the people have their say.

The Speaker (Hon Chris Stockwell): Member for Hamilton Centre, you must come to order. Minister.

Hon David Johnson: People have had a say for years. This government has said 47% going outside of the classroom is not good enough. We need to get value. We need to have a better curriculum. That's what our reforms are all about. We're going to go ahead and do it.

EDUCATION FINANCING

Mrs Lyn McLeod (Fort William): My question is for the Minister of Education. Bill 160 is now to become law. You set out to get the control you needed in order to be able to cut spending on education. You needed to get that bill now so you would be able to find the dollars you need to pay for the second instalment of the tax cut, due on January 1. You tried to deny that your agenda was about cutting costs, but your agenda was exposed, and we learned that providing education at the most effective cost to you meant cutting \$667 million from education, coincidentally just the amount you need for the second instalment of the tax cut.

Minister, today you have refused to confirm or deny any of the specific areas of cuts and cost reductions that we know your officials have been talking about to public board officials and Metro board officials. Will you just tell us, now that you have control, exactly how much you are planning to cut, where will you cut it and when will we see the formula?

Hon David Johnson (Minister of Education and Training): The new taxation system which will be in place for the education system is one that taxpayers have been requesting for many years, in the sense that taxpayers — whether it's the business community through "Killing the Golden Goose," for example, an article put out by the board of trade here in Metropolitan Toronto — have said, "Please stop the escalating property taxes for education purposes," and senior citizens and residential taxpayers for years and years have been saying, "Do something about escalating property taxes."

In terms of what boards will have in the future, I can assure you that boards will have a fair and equitable amount of money, that it will serve the programs they need. Through the curriculum that's being developed in Ontario, they'll be able to deliver a high-quality program and the taxpayer will finally get a break.

Mrs McLeod: We all know about the \$6 billion worth of property taxes which you now have the power to raise by regulation without even bringing a bill back to the

House, but that wasn't my question. My question was about your power to cut spending on education. The public has a right to know, now that you have that power, what you intend to do with it, and you keep contradicting yourself.

The Premier said that 4% to 5% can be cut and we can do all that just by cutting waste. You say it might not be 4% to 5%, which incidentally is \$600 million or \$700 million, but that we can cut whatever we're cutting by cutting waste. You can cut all of the administration in Ontario entirely and still not find \$700 million.

Minister, the public has a right to know, parents and children have a right to know what effect your cuts will have on their schools. One more example: They are particularly worried about whether your cuts to funding are going to mean the loss of their schools altogether. Parents in Thunder Bay, in Ottawa, in Windsor are already afraid that their local schools are going to close. Their children are going to those schools today. Will you guarantee they'll be able to go to those schools —

The Speaker (Hon Chris Stockwell): Thank you. Minister.

Hon David Johnson: The public does have a right to know, and the public certainly will know. Those numbers are being developed through a consultative process. The Ministry of Education is working on that formula. That formula, as I've indicated on many occasions in this House, will be released in the near future. It will be monies to each and every board. Those boards will know when the numbers are released. They will be guaranteed that the amount of money will be fair to all boards across Ontario. It will permit every board to implement the high-quality education programs that are associated with the new curriculum changes we're bringing in in Ontario.

PRINCIPALS AND VICE-PRINCIPALS

Mr Bud Wildman (Algoma): I have a question to the Minister of Education and Training. In the bill that was voted on today, this government took out its anger on principals and vice-principals, because they took the responsible position of reporting when they couldn't properly supervise children during the teachers' protest. This government reneged on the commitment of the previous minister and amended Bill 160 to take principals and vice-principals out of their teachers' federations.

It says in the bill that any principal or vice-principal who wishes to retain her or his seniority and other benefits gained through membership in the federation has until April 1998, April next year, to resign and to return to teaching. Does the minister have a contingency plan for dealing with the possibility of large numbers of principals and vice-principals either returning to the teachers' ranks or taking early retirement?

Hon David Johnson (Minister of Education and Training): With the passing and royal assent associated with Bill 160, I've indicated that once all this has transpired, providing it does all transpire, we would be more

than anxious to be involved in a consultative process with the principals and vice-principals.

It's interesting that in the province of Quebec, principals and vice-principals have not been in the union for a long, long period of time, if they ever were in the union; I'm not sure. It seems to work in Quebec, the next-largest province to Ontario. In British Columbia, the second-largest province to Ontario, the principals and vice-principals have not been in the union for some period of time, and it works in British Columbia. Simply, there was a conflict situation: principals and vice-principals being in the union and performing management roles. That's why they're not in the union in Quebec or British Columbia. I think it will work well here. We'll be consulting with the principals and vice-principals —

The Speaker (Hon Chris Stockwell): Thank you. Supplementary.

1520

Mr Wildman: This government's and this minister's approach to consultation seems to be similar to that of Don Corleone, with an offer you can't refuse. You put a gun to their heads and say, "Okay, now let's consult."

The fact is that in British Columbia, when the government took principals and vice-principals out of the federations —

Interjections.

The Speaker: Stop the clock. Order.

Member for Algoma.

Mr Wildman: The fact is that when the government in British Columbia took principals and vice-principals out of the federations, the number of grievances and the divisions in schools between the administrators and the teachers went up substantially. The fact is that principals provide leadership. They are principal-teachers. In many cases they teach themselves. The minister is courting chaos starting next year with what he's done in our schools. What will the minister do? How will he deal with the potential hundreds of resignations and retirements of principals and vice-principals to ensure proper leadership in our schools after this bill comes into effect?

Hon David Johnson: Again, this has worked in Quebec, apparently for over 30 years, where the principals and vice-principals have not been in the union for over 30 years; in British Columbia for many years.

What the government is in the process of setting up is a consultation process with the principals and vice-principals. They know their employment terms and conditions are protected until September of next year. During the interim period of time the government, along with school boards and all the people involved, will be consulting and will be ensuring that the important role principals and vice-principals play in the school today is respected and that they are treated fairly and honestly in terms of their conditions of employment. Through that process, I have to be optimistic that indeed the vast majority of the principals and vice-principals will be assured that their role is protected and that they will continue to act in their capacity as principals and vice-principals.

LOAN BROKERS

Mr Frank Klees (York-Mackenzie): My question is to the Minister of Consumer and Commercial Relations. It relates to the predatory business practice, which I'm sure you're familiar with, that is becoming all too common in the loan brokerage business. It refers to the fact that many people are being exposed to a business practice where they are being asked to put up an upfront fee in exchange for funds. The fee is paid. All too often the funds don't follow. These are people who are in a position where they are the least able to afford to pay a fee and not have anything in return. Can the minister tell us what his ministry is doing to protect consumers in this province against that kind of predatory practice?

Hon David H. Tsubouchi (Minister of Consumer and Commercial Relations): I thank the member for York-Mackenzie for the question. I know the member is very interested in this particular question.

The loan brokers are regulated under the Loan Brokers Act. It has been a source of consumer concern over a number of years and certainly has attracted a lot of media attention over those years. The Loan Brokers Act, otherwise known as the Linda Leatherdale bill — I congratulate her for her advocacy on behalf of victims — provides protection for consumers by prohibiting loan brokers from charging an upfront fee for services. The government will not tolerate illegal loan broker activities. Certainly we want to do things to increase the liability of loan brokers for these types of unconscionable acts. My ministry has laid a total of 621 charges under the Loan Brokers Act. On November 7, 1997, one convicted loan broker received the first-ever jail sentence under the act, and the companies were fined a total of \$100,000 plus restitution.

Mr Klees: I'm glad to hear the ministry is doing something to charge these brokers. Unfortunately, we're also aware there's nothing in the act that prohibits brokers from continuing to carry on business even though they're charged. We know the reality is that's continuing. Can the minister tell us what his ministry is doing to ensure that people who are charged under the act don't continue to perpetrate this kind of business?

Hon Mr Tsubouchi: First of all, the red tape bill, Bill 117, if passed by this House, will amend the Loan Brokers Act. That will also include a cease and desist provision. This will mean that once the loan brokers have been charged, they can't continue to carry on that same misconduct and continue to bilk people out there.

Secondly, very recently, in fact on November 7, I wrote to the federal justice minister, asking her to review the Criminal Code provisions and consider a way to strengthen her ability to deal with loan brokers in violation of the act. I'm looking forward to hearing back from the federal justice minister on this. I would like to encourage the members to support toughening up the provisions.

There are many other things we need to do. Other considerations we have coming up in the future would be such things as freezing bank accounts or restitution for victims.

I think these are very good things to have for consumers in Ontario.

1530

CHARTER SCHOOLS

Mrs Sandra Pupatello (Windsor-Sandwich): My question is for the Minister of Education. We would like to hear your government's position on charter schools.

Hon David Johnson (Minister of Education and Training): What I can say is we're going through a difficult period of time right now —

Interjections.

The Speaker (Hon Chris Stockwell): Minister.

Hon David Johnson: It doesn't seem to be too popular with the opposition, but I will say we're going through a difficult period of time. There's a lot of healing to do, there's a lot of work to do in terms of the education system that's before us today. My focus, my full intention at this point is to do nothing other than to make the system we have in place today work. There's the funding formula, for example, that's been a topic of previous questions that has to be dealt with, the curriculum changes to the system in place. Those are where my energies are going to be focused.

Mrs Pupatello: I asked a very specific question, I asked you what your position was on charter schools. That's not what you answered.

Mike Harris's first appointment to chair the Ontario Parent Council was Bill Robson from the Fraser Institute, a very vocal charter school supporter. Mike Harris appointed Barb Smith, another vocal charter school supporter, to the Education Quality and Accountability Office. Your MPP Jim Brown was the keynote speaker at a charter school conference organized by the Coalition for Education Reform. His message that day was, "Now is the time to move and lobby MPPs for charter schools."

The bill you just passed opens the door to charter schools, as you know, in a whole series of areas. This is a very covert operation to move our education system towards charter schools. We think you should come clean. Are you for or against charter schools in Ontario?

Hon David Johnson: I will indicate the obvious, that lobbying is something that takes place on a regular basis at Queen's Park. People lobby and speak for all sorts of issues. It's a free society. The member for Scarborough West is entitled to speak wherever he wants.

Mr Robson, not the first chair but a chair of the Ontario Parent Council, is an individual, I'm sure, with a great background and one who has his own personal opinions.

My opinion is that in the immediate future we should focus on the present system, ensuring excellence within the present system. That's exactly what I intend to do through the curriculum, through the other changes in Bill 160, and that will be the focus of my energies completely.

EDUCATION REFORM

RÉFORME DU SYSTÈME D'ÉDUCATION

Mr Len Wood (Cochrane North): My question is to the Minister of Education and Training. Last week, as part of the NDP tour on Dialogue for Change, we were in the town of Hearst. We met with parents and teachers and we met with community leaders. When we met with the parents and teachers, they presented us with petitions with over 500 signatures on them, which is more than the 10% required for a referendum across this province. The community has approximately 4,000 voters, so 500 is more than the 10% that the Tory government has been talking about, that they will hold a referendum on any major changes. The people in northern Ontario, in the town of Hearst, when we're on these tours definitely know that Bill 160 was rammed through this Legislature without proper consultation with parents, teachers and children out there.

Will you hold a referendum if we get more than 10% of the population of voters in the town of Hearst? Clearly they do not want Bill 160. They want a referendum on Bill 160.

Hon David Johnson (Minister of Education and Training): I would say to the people of Hearst and I would say the same thing to the people in the rest of Ontario that in our communities right across Ontario people have been involved in the issue of education over and over through a number of different reports. When your government was in power, I think there were at least a half a dozen reports — the Sweeney report, the financial report. You got people involved in those discussions. The present government has got people involved in education issues. The Liberal government in its day had people involved in discussion after discussion, report after report, spending millions of dollars.

We have boiled all that down through input from the people of Ontario, such as the people of Hearst, into a plan of action, and that action calls on quality within our education system, it calls on accountability and it calls on efficiency. Those are the actions we're moving forward with.

M. Gilles Bisson (Cochrane-Sud): Monsieur le Ministre, le monde de Hearst ne se sentent pas consultés; ils ne se sentent pas impliqués par votre gouvernement quand ça vient à cette question de la Loi 160. Le monde de Hearst nous ont dit très clairement qu'ils n'aiment pas la direction que votre gouvernement prend. Ils veulent savoir qu'à la fin de la journée, ce système qu'on a aujourd'hui en Ontario, c'est un système démocratique. Ils ne se sentent pas avec vous.

On vous demande une autre fois : au-dessus de 10 % de la population de Hearst en une journée a signé la pétition. On continue l'ouvrage. Ça va être rendu à 50% à 60% d'ici les prochains mois. Monsieur le Ministre, allez-vous

être capable d'avoir le référendum faisant affaire avec cette question ?

Hon David Johnson: The member opposite says what the people of Hearst would support and don't support. I would think the people of Hearst would support the curriculum changes, putting the rigour into the curriculum that we have incorporated. I would think the people of Hearst would support the standardized report card.

Interjections.

The Speaker: Order, members for Fort York and Cochrane North. Minister.

Hon David Johnson: I would think the people of Hearst would support the new report card system, would support the fact that we've added 10 days in terms of instructional days on the calendar for secondary schools, five days extra in elementary schools, that we have put a cap on the average class size so that it can't increase in a board area beyond 25 at the elementary level and 22 at the secondary level.

I would think the people of Hearst would support that we would ask for efficiencies within the funding of the education system and that accountability would be improved because school councils will play an important role in terms of the determination of what happens in their schools. These are the things that I think the people of Hearst would say they've approved, and these are the things that people have been calling for for many years.

SMALL BUSINESS

Mr Jack Carroll (Chatham-Kent): My question is for the Minister of Economic Development, Trade and Tourism. From your background in small business, which of course I share with you, you realize how important small business is to job creation in our province. As a matter of fact, history will show that about 80% of the new jobs being created in our province are created by small businesses.

Could you tell us what steps your ministry is taking to support small business so they can continue this incredible track record they have had of job creation in the province of Ontario?

Hon Al Palladini (Minister of Economic Development, Trade and Tourism): I would like to thank my colleague from Chatham-Kent for that question. As my colleague knows, we are helping small businesses across the province to succeed by getting the deficit under control, removing barriers to investment and cutting taxes. I could go on and on.

I would like to share with the House that I had the pleasure of being in London last week and of speaking to Her Worship Dianne Haskett and many members of London's business community to celebrate a new corporate sponsorship for the London community small business centre. Small businesses create more jobs than any other sector of our economy. Small businesses are located in every city, every town, every region of the province. They represent 98% of Ontario business and they create — Mr Speaker is getting ready to get up.

The Speaker: That's right. Supplementary.

Mr Carroll: Minister, as you know, previous governments, those sitting opposite us today, have launched various programs over the years to assist small business and supposedly to create jobs. In many cases, those initiatives were nothing more than Band-Aids where we threw taxpayers' dollars at situations and we virtually had no results, or very poor results. In many cases, as soon as the taxpayers' dollars stopped flowing, the jobs disappeared.

Can you tell us, Minister, how this particular initiative differs from those programs offered by previous governments?

Hon Mr Palladini: The small business enterprise centre program takes the existing self-help offices a step further. The new and expanded resources at the centre will mean better service to community small business owners.

This program also takes a different approach to helping Ontario's small businesses as it builds local partnerships between the public and the private sector, which include IBM, Bell Canada, Microsoft, the Royal Bank, CIBC, Ontario municipalities, and also Industry Canada, I might add. Once the small business enterprise centres program expands beyond the first five locations, Hamilton, London, Brampton, Ottawa and Sudbury, we expect even more public and private sector organizations to join us in helping Ontario's dynamic entrepreneurial small business sector.

The centres recognize the importance of public and private sector partnerships and I encourage the members across the House to let small businesses in their community know this government is there to help them.

PROTECTION OF PRIVACY

Mr David Caplan (Orlino): My question is for the Minister of Education. In your new law, Bill 160, section 266.2 says that the minister and his designates "are authorized to collect, directly or indirectly, personal information." The next section goes on to exempt the ministry from laws that protect citizens by letting people know when their personal information is being accessed.

My question is very simple: Now that you've passed this law, you must let the people of Ontario know what indirect collection of personal information will be, especially when you've exempted yourself from the normal standards of privacy protection. Are you going to be checking to see if there's mental illness in a family? Are you going to be checking parents' political affiliation? What about parental income?

The public is well aware of the dossier of direct-indirect information that your government collected during the Bill 104 hearings on its enemies. Is this the kind of information you're after? Come clean, Minister. Tell us what you will be collecting and what it means. The people of Ontario deserve an explanation.

Hon David Johnson (Minister of Education and Training): The number that's being referred to is to collect information purely within the educational system. It

states that right in the bill, actually, if you read the clauses there.

I might say that it's in terms of assisting for the flow of information, to assist students when they move from institution to institution, the kind of information they get, to assist the facility when students move from one facility to another.

The exemption at the beginning is purely an exemption that's required to set up the account in the first instance. It's the person's name and simple information like that to set up the account in the first instance.

PETITIONS

EDUCATION REFORM

Mr David Ramsay (Timiskaming): "To the Legislative Assembly:

"Whereas we wish it to be known that we are in total disagreement with Bill 160;

"Furthermore, we believe that our government was based on a democratic system — not a dictatorship;

"We, the undersigned, petition that a referendum be held concerning Bill 160.

"Be it resolved that the Legislative Assembly instruct the Minister of Education and Training to hold a referendum concerning Bill 160."

I will affix my signature to this.

NOTICE OF DISSATISFACTION

Mr David Caplan (Oriole): On a point of order, Mr Speaker: I am not satisfied with the answer from the Minister of Education and I request a late show.

The Speaker (Hon Chris Stockwell): File the appropriate papers.

1540

EDUCATION REFORM

Ms Marilyn Churley (Riverdale): I'm getting more and more petitions, with hundreds of signatures, which read:

"Petition of constitutional grievance:

"Whereas the 36th Parliament of Ontario, elected on June 8, 1995, no longer enjoys the confidence of the people of Ontario; and

"Whereas the executive council of Ontario, under the presidency and premiership of Michael Deane Harris, appointed September 26, 1995, is systematically, knowingly and intentionally violating, repudiating and liquidating the traditional system of parliamentary democracy and responsible government to which the people of Ontario are constitutionally entitled as Canadians;

"Therefore, we petition that the Governor General of Canada direct the Lieutenant Governor of Ontario to call a general provincial election in Ontario immediately to

remedy the unjust and intolerable constitutional wrongs which have been inflicted on us by renegade provincial politicians."

I gladly affix my signature to this petition.

EDUCATION REFORM

Mrs Helen Johns (Huron): I have a petition from concerned citizens which was handed to me in Goderich. The petition is with respect to education.

Mr Alvin Curling (Scarborough North): I have thousands and thousands of petitions. This is from the Chief Dan George Public School parents, who are extremely concerned. It reads like this:

"We, the undersigned, are very concerned about the passing of Bill 160 in its present form. We feel that local control must be restored to local boards of education so that parents and teachers can continue to have input in the future of education. Funding must be provided to enable schools to continue to offer quality programs."

I affix my signature in full agreement.

EDUCATION FINANCING

Mr Rosario Marchese (Fort York): I have a petition here from parents of Dewson public school and it reads:

"To the Legislative Assembly of Ontario:

"Whereas the Ontario government wants to take an additional \$1 billion out of the education system this year and every year; and

"Whereas the Ontario government has decided to hire uncertified teachers in kindergarten, libraries, for guidance, physical education, the arts and technology; and

"Whereas the Ontario government wishes to remove the right to negotiate working conditions; and

"Whereas the Ontario government would remove at least 10,000 teachers from classrooms across the province; and

"Whereas the Ontario government has become the sole decision-maker on class size, preparation time and the length of the school day; and

"Whereas the Ontario government proposes to take decision-making powers out of the hands of locally elected community-minded trustees,

"We, the undersigned Ontario residents, strongly urge the government to repeal Bill 160 and create an accessible public consultation process for students, parents, teachers and school board administrators to study alternative solutions that have universal appeal and will lead to an improved educational system."

I affix my signature to this.

COURT DECISION

Mr W. Leo Jordan (Lanark-Renfrew): To the Legislative Assembly of Ontario:

"Whereas the decision to allow women to appear topless in public is offensive and contrary to the lifestyle of the majority of Canadians; and

"Whereas children should not be exposed to public displays of nudity which contradicts values taught in the Canadian school system; and

"Whereas there are laws and regulations in Canada to protect children against nudity in the media but currently there are no laws protecting children from nudity in public places; and

"Whereas allowing women to appear topless in public encourages lewd behaviour which may lead to increased incidents of violence against women;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To amend the indecent act and public nudity provisions of the Criminal Code to clearly state that it is an indecent act for a woman to expose her breasts in a public place, with the exception of women who are breast-feeding."

That is presented on behalf of the Honourable Bob Runciman and the over 200 people who have signed it, and I affix my signature.

EDUCATION REFORM

Mr James J. Bradley (St Catharines): I have a whack of petitions.

The Speaker (Hon Chris Stockwell): Order. It's the member for St Catharines's 20th anniversary in this place.

Interjections.

Mr Bradley: Thank you very much, I will milk that for the full year.

I have a large number of petitions that read as follows:

"To the Legislative Assembly of Ontario:

"Whereas sections of Bill 160 allow the government unprecedented centralized control over education in Ontario; and

"Whereas sections of Bill 160 remove our democratic rights as citizens to comment or respond to education reform; and

"Whereas sections of Bill 160 allow the government to make further massive cuts to education funding without public consultation or debate;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Amend those sections of Bill 160 listed above."

I affix my signature as I am in complete agreement with this petition.

PAY EQUITY

Mr Tony Martin (Sault Ste Marie): I have about 690 to 700 petitions here on the Red Cross homemaker issue to the Legislative Assembly of Ontario.

"Whereas the current pay equity legislation affects Red Cross differently than any other provider of homemaker services in Ontario and makes it impossible for the Canadian Red Cross Society to compete on a level playing field; and

"Whereas without a resolution, the Canadian Red Cross Society will be forced to increase wages and

benefits, already the highest in the industry, by approximately 45% January 1998. The program cannot afford this increase;

"Whereas Red Cross provides 80% of the service in rural communities, and in 29 communities Red Cross is the only service provider; and

"Whereas clients in many communities will be left to cope on their own and some 6,000 homemakers and 400 office staff, most of them women, will lose their jobs;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We are very concerned about the Red Cross pay equity issue. We are asking the three party leaders to put people before politics and come together in a non-partisan effort to resolve the homemakers' services pay equity problem."

I have signed my signature.

EDUCATION REFORM

Mr Marcel Beaubien (Lambton): I have a petition against Bill 160 signed by 40 people which I would like to file with the Clerk.

Mr Bruce Crozier (Essex South): I have a petition to the Legislative Assembly of Ontario which has a number of "whereases" pointing out deficiencies in Bill 160 and concludes by saying:

"Therefore be it resolved that we, the undersigned, petition the Legislative Assembly to withdraw Bill 160 immediately; and

"Further, be it resolved that the Legislative Assembly of Ontario instruct the Minister of Education and Training to do his homework and be a cooperative learner rather than imposing his solution which won't work for the students, parents and teachers of Ontario."

I affix my signature.

Mr Len Wood (Cochrane North): I have a petition of non-confidence.

"To the province of Ontario:

"Whereas the government of Ontario has not listened to the public with respect to Bill 160; and

"Whereas the government of Ontario has chosen to overtly deceive the people of Ontario as to the true objectives of Bill 160; and

"Whereas we, the people, believe that no government has a mandate to act in isolation of the wishes of the electorate of this province and we have lost confidence in this government,

"We, the undersigned electors of Ontario, petition the Lieutenant Governor to dissolve the Legislature and call a general election forthwith."

ABORTION

Mr Dave Boushy (Sarnia): I have a petition signed by over 200 people and brought to me by William H. Bedard. It states as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Ontario health system is overburdened and unnecessary spending must be cut; and

"Whereas pregnancy is not a disease, injury or illness and abortions are not therapeutic procedures; and

"Whereas the vast majority of abortions are done for reasons of convenience or finance; and

"Whereas the province has exclusive authority to determine what services will be insured; and

"Whereas the Canada Health Act does not require funding for elective procedures; and

"Whereas there is mounting evidence that abortion is in fact hazardous to women's health; and

"Whereas Ontario taxpayers funded over 45,000 abortions in 1993 at an estimated cost of \$25 million;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to cease from providing any taxpayers' dollars for the performance of abortions."

1550

RÉFORME DU SYSTÈME D'ÉDUCATION

M. Bernard Grandmaître (Ottawa-Est) : J'ai une pétition adressée à l'Assemblée législative de l'Ontario :

«Attendu que nous, les signataires de cette pétition, voulons signifier au gouvernement notre opposition au projet de loi 160 ;

«Attendu que le projet de loi 160 exclut les parents et les enseignants du processus de décision dans le secteur de l'éducation en Ontario ;

«Attendu que le projet de loi 160 centralise tous les pouvoirs entre les mains du gouvernement ;

«Attendu que le projet de loi 160 accorde au gouvernement Harris le pouvoir de retrancher 660 \$ millions de plus du secteur de l'éducation ;

«Nous, les soussignataires, demandons le retrait du projet de loi 160.»

J'ai appliqué ma signature.

PUBLIC SERVICE AND LABOUR RELATIONS REFORM

Mr Ted Arnott (Wellington): I have a petition that I'm presenting on behalf of the member for Waterloo North, who is of course the Minister of Health. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Progressive Conservative government has failed to address the root causes of waste, duplication and unnecessary administration in our health care system; and

"Whereas the provincial government has instead introduced Bill 136, the Public Sector Transition Stability Act, that makes it easier for employers to reduce the number of front-line staff and to lower their salaries and benefits, thus causing further deterioration in quality patient care; and

"Whereas Bill 136 also erodes the democratic process by tampering with collective agreements and potentially interfering with workers' choice of bargaining agents;

"We, the undersigned, therefore petition the Legislative Assembly of Ontario to withdraw Bill 136, the Public Sector Transition Stability Act, and restructure the health care system in a safe, coordinated and rational way."

EDUCATION FINANCING

The Speaker (Hon Chris Stockwell): For my own sanity, the member for Port Arthur.

Mr Michael Gravelle (Port Arthur): I appreciate the opportunity to present a petition on behalf of the thousands who are opposing Bill 160.

"To the Legislative Assembly of Ontario:

"Whereas education is our future; and

"Whereas students and teachers will not allow their futures to be sacrificed for tax cuts; and

"Whereas students, parents and teachers will not allow the government to bankrupt Ontario's education system; and

"Whereas you cannot improve achievement by lowering standards; and

"Whereas students, parents, teachers want reinvestment in education rather than a reduction in funding; and

"Whereas students, parents and teachers won't back down despite the passage of the bill; and

"Whereas Ontario Liberal leader Dalton McGuinty has pledged to repeal Bill 160;

"Therefore be it resolved that we, the undersigned, petition the Legislative Assembly to withdraw Bill 160 immediately; and

"Further, be it resolved that the Legislative Assembly of Ontario instruct the Minister of Education and Training to do his homework and be a cooperative learner rather than imposing his solution which won't work for the students, parents and teachers of Ontario."

I'm very proud to sign my name to that petition.

PRINCIPALS AND VICE-PRINCIPALS

Ms Shelley Martel (Sudbury East): I have a petition that was sent to me by the staff of Carl A. Nesbitt Public School in my riding. It reads as follows:

"Whereas Bill 160 originally maintained principals and vice-principals would remain as members of the teachers' federations; and

"Whereas the proposed amendments were introduced after the hearings had been completed; and

"Whereas the proposed amendments will seriously destabilize the education system, causing unnecessary stress on our established school teams;

"We, the undersigned electors of Ontario, petition the Lieutenant Governor to withdraw those sections of Bill 160 which impact the current status of principals and vice-principals as members of the teachers' federations."

This is signed by 17 staff members. I agree with the petitioners and I've affixed my signature to it.

EDUCATION REFORM

Mr Toni Skarica (Wentworth North): I have a petition against Bill 160 raising a number of concerns which I don't share.

EDUCATION FINANCING

Mr Mike Colle (Oakwood): On behalf of students and parents in the North York school board, I have a petition for the Legislative Assembly of Ontario.

"Whereas education is our future; and

"Whereas students and teachers will not allow their futures to be sacrificed for tax cuts; and

"Whereas students, parents and teachers will not allow the government to bankrupt Ontario's education system; and

"Whereas you cannot improve achievement by lowering standards; and

"Whereas parents, students and, teachers want re-investment in education rather than a reduction in funding; and

"Whereas students, parents and teachers won't back down;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly to withdraw Bill 160 immediately; and

"Further, be it resolved that the Legislative Assembly of Ontario instruct the Minister of Education and Training to do his homework and be a cooperative learner rather than imposing his solution which won't work for the students, parents and teachers of Ontario."

I affix my signature to this petition in support.

PRINCIPALS AND VICE-PRINCIPALS

Ms Shelley Martel (Sudbury East): I have another petition, this one sent to me by the staff at Cyril Varney Public School in my riding. It reads as follows:

"Whereas Bill 160 originally maintained principals and vice-principals would remain as members of the teachers' federations; and

"Whereas the proposed amendments were introduced after the hearings had been completed; and

"Whereas the proposed amendments will seriously destabilize the education system, causing unnecessary stress on our established school teams;

"We, the undersigned electors of Ontario, petition the Lieutenant Governor to withdraw those sections of Bill 160 which impact the current status of principals and vice-principals as members of the teachers' federations."

I agree with the petitioners and I've affixed my signature to it.

Mr Ernie Hardeman (Oxford): I have a petition signed by a number of constituents in Oxford. It relates to the section of Bill 160 that relates to taking the principals and vice-principals out of the federation. I'd like to file the petition with the Clerk.

OPPOSITION DAY

EDUCATION REFERENDUM

Mr David Christopherson (Hamilton Centre): Our leader is tied up in a scrum outside the House, so I will read this resolution on his behalf.

The Speaker (Hon Chris Stockwell): You need consent.

Mr Christopherson: I seek unanimous consent to do that.

The Speaker: Is there unanimous consent? Agreed.

Mr Christopherson: Whereas the Mike Harris Conservatives in 1995 campaigned on a promise to offer Ontarians more "direct democracy"; and

Whereas Premier Harris issued a white paper advocating citizen-initiated referenda on important issues in Ontario; and

Whereas the standing committee on the Legislative Assembly, dominated by members of the Mike Harris Conservative caucus, recommended that the government be forced to conduct a binding referendum when the signatures of 10% of eligible voters are collected asking for a referendum; and

Whereas the majority report of the standing committee, including the then parliamentary assistant to the Premier, the member for Brampton South, stated: "In an initiative, it is the citizenry, not the political élite or the media, who are determining what is an appropriate issue for a referendum"; and

Whereas parent groups throughout the province, and especially in Toronto, Peel, Hamilton and Ottawa, initiated a petition campaign calling for a referendum on the government's Bill 160, the Education Quality Improvement Act, 1997; and

Whereas the New Democratic Party caucus has responded to this citizens' initiative by carrying the referendum petition campaign to every corner of the province;

Therefore, this House agrees that the provincial government should hold a binding referendum on the withdrawal or repeal of Bill 160, whichever the case may be; and

That the office of the chief electoral officer shall conduct a binding referendum vote in accordance with the rules recommended by the standing committee on the Legislative Assembly.

1600

I'm pleased to begin this discussion on behalf of my caucus colleagues by saying, first and foremost, that the idea of governing by referendum is not a principle or a position that our caucus supports for one moment. That is an abdication of the parliamentary system and the responsibility that elected members have.

However, there is a recognition that on important issues — certainly the example that comes to mind is on the national Constitution, on the Charlottetown accord — we were as a party and as a government supportive of a national referendum, given the importance of the issue and

given the level of knowledge and discussion and concern and fundamental change that the Charlottetown accord would have meant to Canadians from coast to coast to coast.

In this case, we see a situation where the very government that says referendum is the way to go is refusing to listen to the people. There's no question that this is the most well known, infamous bill probably in the history of our province. More citizens have actually read Bill 160 than I think any other single piece of legislation, and we know that the vast majority of Ontarians do not support Bill 160, because contrary to what the government says, this is not about improving education, this is not about making our children head of the class the first priority, this is not about improving a system that we all know can be improved; this is about taking money out of the pockets of our children's education system to pay for your tax cut, the one that your wealthy corporate friends are going to benefit from the most.

Finally, during the course of the debate around Bill 160, the government admitted, having said all along, "No, this isn't about money, oh no, this is about education, this is about making things better for our children," having run that string out as far as they could, they finally admitted that yes, Bill 160 is about taking out of education a further \$667 million, after they've already taken out the equivalent of \$1 billion.

Based on your funny theory that taking more money out makes for a better education system, it shouldn't be long before we hear the Minister of Education stand up and say: "We are eliminating the budget for education. There will be no money going for it. Ergo, we will have a perfect education system." That's the level of sense that the argument the government members have been putting forward makes.

You know, we really had to wrestle with this initiative in our caucus because of our concern about the threat as we see it to the traditional fundamentals of democracy in Ontario to governing by referendum, and by agreeing to even one, we are, and we realize this, adding some credence to the point.

However, first of all, we realize that your goals around referendums are not meant to give people direct democracy; they are meant to give you the ability, with the kind of money available to you from the corporate sector, to mount the kind of public campaign that bumper-sticker slogan votes can do in terms of furthering your hard right-wing agenda. We saw it in the last election and we know that's what your belief is, in terms of what referendums are for.

We've seen what's happened in the United States where this idea has taken hold and gone crazy, and what it has done to public service and public education and policing and firefighters. They've got counties, municipal jurisdictions in the United States that have gone broke, declared bankruptcy, because somebody got a very simple referendum through about limiting taxation. It sounded good and it was great on a bumper sticker, but at the end of the day they couldn't pay the fire department to exist.

We're very fearful of that but by the same token we know that when it comes to real democracy, this is the most undemocratic government the province of Ontario has seen in its history. We know that by forcing the issue you're going to be shown for the anti-democratic bullies you really are. We know we're going to get the 700,000, the well over 1 million signatures we need. We will get that and we will hold you accountable and say: If you believe so much in referenda and if you believe that your Bill 160 has such support and if you believe that you can garner enough support out there to win on every citizen gets a vote, and not just Tory MPPs — but you won't do it. If you do, we'll whip your you-know. We will win that vote and then you will have to repeal it.

We are on record as the NDP caucus. If we are elected the government in the next provincial election we will repeal Bill 160. I say to you: Clearly, if we do get the referendum, we'll win that vote and then you'll be forced to repeal Bill 160. But make no mistake about it: One way or another your anti-democratic bullying ways are not going to carry the day and Bill 160 will not be implemented nor take effect the way that you want it to and the way you are trying to force it down the throats of the people of Ontario. I assure you of that.

The Acting Speaker (Mr Gilles E. Morin): Further debate. Do you want to debate, Minister?

Hon Tony Clement (Minister of Transportation): I am rising in this House today to join in the debate on the opposition day motion, just as I rose on November 7, 1996. I rose in this House in a somewhat different spot to state that the time had come to give serious consideration to the referendum alternative. In fact I've got a quotation from part of my speech from that point where I said that gone were the days when "elected members had better power, better authority, better knowledge and better expertise to make decisions on behalf of the people," and I stand by that comment.

I stand here today as someone who believes in the use of referendums as a tool, not by the governing class per se, necessarily, but by the people in order to ensure that direct democracy is woven into our system. I believe I said at the time that democracy is like a flowing river which need not follow the same banks every year. I believe that as well.

I think it's important to note that Ontario is one of two provinces, the other being Nova Scotia, which do not have comprehensive umbrella referendum legislation. During the 1995 election our party did indeed commit to the people of the province that we would create a government that was accountable to the people, and that would be a case where there would be an opportunity for more direct democracy.

Let me quote from the Premier. He said as early as August 13, 1990, with respect to constitutional reform: "No constitutional reform should be imposed on the people of Ontario unless they have first had an opportunity to pass judgement on it through a binding, province-wide referendum. Only if approved by such a referendum should any amendment resolution be presented to the Legislature." That was a statement of August 13, 1990.

On February 4, 1995, the Premier went on to say: "We're looking at the possibility of government-initiated, opposition-initiated and citizens-initiated referendums. We also feel, unlike other politicians, that referendums are a good idea and do not limit the ability to manage the government. We don't think it's unreasonable for people to have those alternatives." On May 30, 1995, Mike Harris pledged to support taxpayer protection legislation that will "make any increase in existing tax rates or any new taxes, subject to approval by the voters of Ontario in a binding referendum."

I think the position of our Premier and our government is quite clear on this. I'll get to tax referendums in a minute because it is quite interesting how what is good for the goose is not necessarily good for the gander when the NDP, the third party, takes specific clauses of the final report of the standing committee but does not seem to approve of all of them.

1610

I would like to remind the House that we have taken many steps to fulfil those campaign promises. In August 1997 the Premier issued a white paper and it is called *Your Ontario, Your Choice*. I believe the leader of the third party made reference to that white paper on occasion. That paper, I think a most far-reaching document, published by the Premier's office, explored steps that could improve accountability and better public participation in the decision-making process. It explored recall. It explored government-initiated referendums. It explored mandatory referendums — that is to say, no government action without the prior approval of the people — and it explored citizens-initiated referenda.

Numerous referendum options were considered and the readers, the public were invited to comment on a variety of issues, and they did. They did via letter. They did via e-mail. They did via extensive consultation process. That white paper, *Your Ontario, Your Choice*, was followed by hearings in the fall of 1996 by the standing committee on the Legislative Assembly, which I had the honour and privilege of attending as the lead government member on that committee for this particular topic.

The committee heard from a wide variety of witnesses ranging from the Canadian Civil Liberties Association through to the Ontario Taxpayers Federation. We heard from the chief election officer, Warren Bailie. We heard from the Brampton Taxpayers Coalition, Mr Ernie McDonald from my riding. We heard from the Taxpayers Coalition Burlington. We heard from the Ontarians for Responsible Government —

Mr Christopherson: My, my. You did?

The Acting Speaker: Member for Hamilton Centre, you had your turn.

Hon Mr Clement: — the Direct Democracy Group; the Tax Equity Alliance; the Taxpayers Coalition of Caledon; the Ontario Catholic English Teachers' Association; the Freedom Party of Ontario; Democracy Watch, Duff Conacher — a very interesting presentation from him — Uxbridge Ratepayers Association; John Deverell; Power Workers' Union, Mr Murphy; Mr Borovoy from the

CCLA, the Canadian Civil Liberties Association, as well as from the Ontario Separate School Trustees' Association; all of them appeared before the committee to make, in good faith, representations on whether referendums should be part, in a more formalized capacity, of the fabric of this province.

It should be made clear that this is not necessarily a radical position to take, either by the third party or by the government. We've had three nationwide referendums in Canada, two of which were initiated by the federal Liberal government at the time, I would make clear to the member for St Catharines.

One was on September 29, 1898, on prohibition. In case you're following at home, 53% voted in favour of prohibition. One was on April 27, 1942, on conscription, with 64.1% in favour. Of course, most recently, October 26, 1992, on the Charlottetown accord, where 54.4% overall voted against. That's just on the national scale. As I mentioned earlier, other provinces have varying degrees of referendum legislation and of course our province has had at the local level a rich history of plebiscites and referendums.

The response of those witnesses on the whole was very positive and very supportive of referendums in the right context, done the right way. Many thoughtful suggestions were made. The standing committee learned that there were some pitfalls to be avoided, and witnesses offered us the benefit of the history of referendums, not only in Ontario but throughout the country.

The standing committee deliberated over a long period of time, thanks to the Liberals, and we were able to carefully consider the input of the hearings. On July 3 of this year the standing committee report was tabled in the Legislative Assembly and that report made 31 separate recommendations.

Interjection.

The Acting Speaker: Member for Hamilton Centre, you had your turn.

Hon Mr Clement: The report recommended that a referendum framework be adopted by the government. At the same time, the report raised a number of concerns that relate directly to the points that have been raised by the leader of the third party and by the third part. I'd like to quote a particular section, recommendation 17 of that report, which specifically deals with how referendum questions should be dealt with to ensure that they are fair and neutral questions.

Recommendation 17 indicates that final approval over the nature of the question can only be given by an independent third party; that is to say, not by the government; not by the official opposition; not, certainly, by the third party. The final approval by the referendum commission could only be given if the question is expressed neutrally in clear and concise language and it must require a yes or no response.

It seems like the leader of the third party wants to administer the referendum himself, which clearly was not what the people who came before the committee wanted and certainly not what the committee of this House

recommended. The standing committee, after very careful consideration, came to the conclusion that an independent commission was necessary to ensure that there was fair discussion of all the issues and that the question was a fair and neutral question.

Mr Christopherson: That is when we set you right.

Hon Mr Clement: It did not recommend that the leader of the third party got to decide what the question was. It did not recommend that the third party —

Ms Shelley Martel (Sudbury East): Read the bottom line. Read the resolution, Tony. Do you agree or not?

The Acting Speaker: The member for Sudbury East, the member for Hamilton Centre, I don't need to repeat it again. I'll have to apply the procedures if you don't stop heckling.

Hon Mr Clement: It did not recommend that the third party or its agents be in control of the process. It was quite clear from the depositions before that committee that the public wanted a clear, concise question, a fair and neutral process that was not in the hands of the politicians on either side of this House.

We are very carefully considering the recommendations of the standing committee. The standing committee report suggests ways of changing the situation that we now find ourselves in and I recommend to the leader of the third party to carefully study every single recommendation of the standing committee report and he will see that while the principles are straightforward and we agree with those principles, the subject itself is highly complex.

Unlike the leader of the third party, I don't think we want to rush into a referendum process that in turn takes away credibility from the process. I recall, and I don't want to put the leader of the third party on the spot, that at a news conference on March 4, 1997, the leader of the third party said, "In general, from general philosophical principles, I don't think referenda are always the best way to deal with these issues."

Mr Howard Hampton (Rainy River): That's right. I'm honest.

The Acting Speaker: The leader of the third party, please.

Hon Mr Clement: Obviously what's good for the goose isn't good for the gander. I would encourage the leader of the third party to be consistent in his views on this issue.

Interjection.

The Acting Speaker: The leader of the third party, please.

Hon Mr Clement: Referendums have a long and rich tradition in this province and in this country. But it is clear from the depositions that were before the standing committee that the public wants a process that is outside of interference by politicians in this House, either by the government or by the opposition or by the third party. They want a process that leads to a fair result. That is when we as politicians should be bound by those results, when there is a neutral process that ensures that the process is fair. I would encourage the leader of the third party

consequently to participate with us in creating a process that we can all be proud of.

I note that the leader of the third party hasn't talked very much about another recommendation of that standing committee report, namely that no tax increases or new taxes should occur in this province without the prior constraint of a referendum vote in favour of such tax increase. So I'm just wondering how the leader of the third party squares his new-found support on the road to Damascus on referendums and yet seems to oppose a key element of the standing committee report. I would encourage the honourable members opposite to be consistent and to work with us to create a progressive piece of legislation that we can all be proud of.

1620

Mr James J. Bradley (St Catharines): Today is a very sad day for the province of Ontario and for the education system in Ontario because it is the culmination of an attack by this government, and particularly by the whiz kids, by the unelected political advisers to the Premier, on a publicly funded education system which has served us well for many years, which is always trying to change, which is always trying to become better, which is always striving for more quality. The government has launched this attack on the education system and today, with its overwhelming majority in the House, it was able to pass Bill 160.

There was never any doubt that this government would have that opportunity. You know, when you're exercising power it's extremely important to exercise that power carefully when you have the majority. It is easy when you have a minority, because you must take into account the views of others, but when you have majority power, particularly overwhelming majority power, it is important to take into consideration the views of everyone in the province.

What has happened is that the whiz kids within the government have recommended, when the government's in trouble, to find a scapegoat, to find a group of citizens they could paint as being in a privileged position or some who may have some who resent them within the province. The government set out to attack the teachers of this province, the people who deliver education on the front line to the students, whether they're adults or young people at the very youngest level, such as junior kindergarten.

What the government forgot, what the whiz kids, to be fair, forgot, was that these people are the sons and daughters of people, they're the mothers and fathers, they're aunts and uncles, they're nieces and nephews, they're next door neighbours, they're best friends. They are people, in other words, who permeate our society, who are able to get their message out. So the government found that even strong Conservative supporters, supporters of the Progressive Conservative Party, were repulsed by this attack on the teachers.

I thought the government reached an all-time low when, using the funds of everyone in the province, all taxpayers in the province, it launched a series not of propaganda ads, which are bad enough and I've been critical of those over

the years, but attack ads on the teachers trying to paint them in the worst possible light. What you find out is, yes, it will consolidate the support of some who hold that view. But it turned a lot of people off because it wasn't necessary to do it. The whiz kids said it was. You see, they're not elected. They don't talk to people out there. They're not people who have to live with what happens after Bill 160 in terms of the electoral realities of the province, and so they told the government to move forward.

What you had out there in teachers was not a radical group. I know these people well. They're not radical, they're not militant, they're by and large very moderate people, very cautious people, very small-c conservative people by and large in our province. What you did was you made militants out of them. What you did was you made them into radical people taking radical action.

I can't think of anyone, I can't think of any teacher in this province who wanted to be out on a picket line, who wanted to withdraw services to protest the bill. All of them to a person wanted to be in the classrooms. You know, if you had an accomplishment, I suppose a perverse accomplishment, it was the ability to mobilize and radicalize and make militant a group of very cautious, small-c conservative people who wanted to be with their students, and that's what you succeeded in doing.

What you found out and what people should know in this province is that this is not a fight between the teachers of Ontario and the government of Ontario. It is a fight between those who believe in a strong, vibrant, high-quality, publicly funded education system and those who do not. For the moment, those who do not have the upper hand.

The government started out saying this had nothing to do with money. If they had been honest and up front, people would have at least appreciated that honesty. But they started out saying that it had nothing to do with money. They told their individual members, "When you go to the public meetings, tell them it has nothing to do with education cuts," because the government had already cut over half a billion dollars from the education budget. Despite your ridicule and opposition to the social contract of the previous government where you criticized them for it, you then cemented the cuts that came from the social contract. You are certainly not being up front, to say the least, in that regard.

What you have done is you have a system now which is going to have at least 7,500 fewer teachers in it, a concentration of power here in Toronto and a concentration of power further in the hands of a few cabinet ministers who will rule by regulation. You will have the closing of schools across this province and you will be facing now a highly demoralized workforce in terms of the teachers.

As I conclude, I ask you, you have won the vote in the House today but what price have you paid and what price, more important, have we in Ontario and our society paid in demoralizing and attacking and shoving to the background those who are dedicated to the delivery of education services in this province? That's a question all of us will have to answer.

The Acting Speaker: Further debate, the leader of the third party.

Mr Hampton: I am pleased to be able to speak on this opposition day and on the matter which stands in my name. Let me be clear about what we are doing. I am going to quote from the Conservative government's own committee report. This is the standing committee of the Legislative Assembly's final report on referenda. This is the Conservative government speaking. This is the Conservative majority on that committee speaking.

They say, with respect to citizens' initiatives:

"Citizens' initiatives are a form of referendum. Our earlier analysis of the concept of referenda extends to initiatives. Some of that analysis is briefly repeated here for the purposes of emphasis. Most of the proponents of referenda before the committee favour the option of citizen initiation. Most members of the committee as well believe this option can serve as a particularly effective means of empowering individuals and groups within the political process.

"Amongst other things, initiatives can serve as a vehicle by which the public can put forward reforms and raise issues which might otherwise not be addressed by elected officials. In an initiative, it is the citizenry, not the political élite or the media, who are determining what is an appropriate issue for a referendum."

It is very clear, I believe, that the individual citizens, the people of Ontario, have found an issue about which they have fundamental questions. It is this government's agenda with respect to education, as expressed in Bill 160. What we have going on out there in Ontario right now is that a number of parent groups are taking petitions forms and they are going out and they are getting signatures.

This is not something driven by me or members of the New Democratic Party caucus. We are pleased to help. We are pleased to bring those petitions here so that public opposition to Bill 160, public opposition to this Conservative government's cuts to education can be shown, can be demonstrated. This is an idea that grew out of the East End Parents' Association in Toronto and it is an idea that is now starting to take off with parents' associations across this province.

Is the government saying that parents don't matter? Is the government trying to say that the views of parents on their children's education is not relevant? If that's the government's position, and it seems as if it was expressed by the Minister of Transportation for this government, that that seems to be their position, then the government will have to take responsibility for that.

I believe that we will have no difficulty getting at least 700,000 signatures from eligible voters in this province. In fact, I believe we will get easily over a million signatures from eligible voters in this province, because people now understand what this government's agenda is all about. People understand that this government has taken \$800 million from our children's education already. They've taken \$800 million from our children's education because they have an enduring problem. They have to find revenue to finance their tax gift to their wealthy friends.

1630

This is a government that is going to take at least another \$700 million from our children's education in the next year because they need that revenue to finance their tax gift for their wealthy friends. People can add. People understand that your tax gift to the wealthiest people in this province will cost \$5 billion a year on an ongoing basis. People understand that the only way, the only place you can find that \$5 billion a year on a continuing basis is to take some from health care, some from education and some from their communities.

People are already seeing the health care cuts. They're about to see the downloading on municipalities and they are in the midst of experiencing your cuts to education. People can add, people can see what you're trying to pull off. They have expressed their intention to fight you every step of the way when it comes to education.

I would say to people across this province, to parents, to teachers, to students across this province, you will see over the next five months repeatedly the implementation of this government's cuts to education. In the next few weeks the government will bring forward their funding formula for the so-called leftover part of the year, the stub year from January to June 1998.

We already know, because we've talked with educational finance people from different boards of education across the province, that the funding formula for the stub year will include a cut of at least \$220 million, about an 11% cut for most boards, given what's left over in the year. That will force boards of education to cut programs during the mid-year or three quarters of the way through the year. It will force them to start laying off some teachers three quarters of the way through the year.

The next manifestation of this government's cuts will come when the so-called mega-boards are due to be up and running on January 1. We know they're not going to be up and running. They don't even know for sure what their budgets are. They know it's going to be a cut, but the government hasn't had the decency to give them the numbers so they can start working through.

When the mega-boards supposedly come to light in January we will see another disaster on the education front. Then in March — and I want to be very clear with parents and very clear with teachers and students — we will see that the new boards will have to start giving preliminary notice of the layoff of teachers. They will have to start giving that notice in March of this year.

In the next four months, towards the end of December, in early January and certainly by the end of March, parents, teachers, students and concerned citizens of this province will see over and over again how these cuts are going to be implemented in local communities, in local schools and in the classroom. Parents, teachers, students, grandparents and citizens of the province will have their opportunity to voice their opposition to this government's vicious cuts to education by means of signing those petitions and allowing us to bring them here to present them in this arena of public debate.

The government can try to ignore New Democrats, they can try to ignore the opposition of teachers, but they will not be able to ignore the signatures of hundreds of thousands, I say over a million, citizens of this province who are going to clearly express their opposition to this government's destructive attack upon our children's education.

I would say again to all those citizens of the province, as this unfolds, as you can see on a daily basis, on a weekly basis, on a monthly basis how this government is attacking education in your community, how they're attacking education in your child's classroom, there will be an opportunity to voice your opposition, there will be an opportunity to put this government on the spot.

Ultimately, this government will be forced to either grant the referendum on the repeal of Bill 160 or they will have to come clean with the public of Ontario and admit that all their words about direct democracy, all their words about letting the public have a say, all their words about referenda are nothing but a lot of self-serving hogwash and rhetoric by this government. Ultimately, this government will be put on the spot. They will either have to grant the referendum on the repeal of Bill 160 or admit that everything they've said about direct democracy, everything they've said about listening to people is nonsense.

I welcome the people of Ontario, the parents, the East End Parents' Association and parents in other communities taking to the streets and exercising democracy and holding this government to task. We'll do everything we can as New Democrats to help those parents do just that.

Mr John R. Baird (Nepean): I'll just put a few comments on the record, because I know a good number of my colleagues want to speak. I, like the vast majority of my colleagues on this side of the House, signed during the election campaign the taxpayers' protection pledge, a project of the Canadian Taxpayers Federation. This pledge committed me as a member of provincial Parliament to require a referendum to be held in the event of any tax increase. Can you just imagine had there been referendums over the last 10 years every time the New Democratic Party or the Liberal Party wanted to raise taxes? We would have had 65 referendums over the last 10 years, but we didn't have those referendums. It would have been interesting to have a referendum on the social contract in 1993, but unfortunately there was no referendum on the social contract.

When the standing committee on the Legislative Assembly dealt with this issue and recommended support for referendums in Ontario, and I certainly concur with that recommendation very strongly, what we saw from the official opposition, the Liberal Party, was a six-month filibuster, doing everything they could to stop even a vote being allowed to take place on the issue of referendums. We heard the leader of the official opposition speak out very strongly against referendums. It will be interesting to see what our colleagues in the official opposition do on this issue. The new-found interest of our colleagues in the opposition parties in referendums is very interesting in-

deed. I wish we had seen that kind of support when we were drafting the recommendations in the committee.

Mr Rick Bartolucci (Sudbury): I'm pleased to rise and offer a few insights into this motion. This is all about Bill 160, let's be clear about this, all about the damage Bill 160 is going to do, both in the present and in the future. There's absolutely no question in my mind or in the mind of anybody in Ontario that this referendum is never going to take place. That's not a surprise to the third party, that's not a surprise to the official opposition, that's not a surprise to anybody who is going to sign to have the referendum. You see, this is the key: to ensure that the public is always reminded about what this government has done to public education. I'm sure they're going to get the 700,000 signatures. I'm sure they're going to get well in excess of a million signatures, because I know the very first day we came back here to debate Bill 160 we put over 150,000 signatures to the Speaker's table.

The people of Ontario know the seriousness with which you've tampered with education. You as a government have in effect, with the passage of Bill 160, destroyed public education. The public shall not, will not, cannot forget that. They're going to have to be reminded. They're going to have to be reminded many different ways, and this is one of the ways that is going to keep 160 in front of the public. The public must constantly remember what 160 really is all about.

Bill 160 has nothing to do with curriculum, standardized report cards or testing, absolutely nothing to do with that. In fact, if 160 had anything to do with standardized report cards, they would have heard from teachers that the new report card is cumbersome, that obviously it was drafted without any kind of mechanics for time management involved in the process, that parents are not going to find this new, standardized report card of value and it's not going to be user-friendly to them as well. Teachers will be telling you that, principals will be telling you that, trustees will be telling you that. But will you listen? I don't think so.

1640

Bill 160 allows the government to cut the cost of education by cutting teachers. It's that simple. There is absolutely no question in the minds of the people of Ontario. Bill 160 will cause several thousand teachers to lose their jobs. It guarantees that there will be fewer secondary school teachers teaching more classes to more students. This means there will be less time for individual students. It guarantees that. We've told you over and over and over again that that's wrong. It also means that small secondary schools will be unable to offer a full range of programs because of the reductions of staff and that schools will close. Come to the region of Sudbury and you'll see that that's exactly what's happening. It's happening to small secondary schools, and it's wrong.

Bill 160 does not mean smaller class sizes. The bill enshrines the status quo for the average we now have; it does not mean smaller class sizes. Let me tell you, with the reduction in funding that's going to take place — because the Premier admitted that there's going to be several hun-

dred million dollars withdrawn because of Bill 160. He hasn't even tabled the new funding formula, and we know that will mean more cuts to education.

That could only mean one thing: Class sizes are going to grow or we're going to have a reduction in programs. There's going to be a reduction in special education programs, there's going to be a reduction in adult education programs, there's going to be a reduction in a variety of programs. That has to happen if you continue to draw more money out of the system, and this government is bent on doing that. They've said it. The Premier has admitted to it. The Minister of Education has said: "Yes, more money is going to come out. Yes, money is going to come out when the new funding formula takes effect." They haven't denied it.

Bill 160 takes principals and vice-principals off the team. Education is a team approach. Teachers are team members. Up until today, Bill 160's passage, principals and vice-principals were part of the team. Not any more.

I summarize with what Marshall Jarvis said today in his news release: "It is a very sad day for Ontario. Our students' education system faces hundreds of millions of dollars in cuts, unchallengeable centralized control by cabinet, the loss of thousands of teachers, enforced mediocrity and uniformity in the classrooms."

Yes, the public must be kept aware of that. Bill 160 is bad for kids. Bill 160 is bad for students. Bill 160 is bad for parents, trustees, teachers, principals, vice-principals. Indeed, Bill 160 is bad. We must keep the public aware.

Ms Marilyn Churley (Riverdale): Earlier I was listening to the member for Brampton South, who is now the Minister of Transportation. I heard him try to weasel out, squirm out from under statements he made on behalf of the committee that was studying referendum. I quote again that he said he was "proud that we in the Harris government are living up to our commitment to bring issues vital to our province to the people for their input," and allowing their voices to be heard. I was stunned today at how fast it happened when he became a minister, trying to wiggle out from under those fine words of his.

I expressed at the time some reservations, as did others, about referendum, and I was happy to see that our caucus rep, the member for Dovercourt, got involved in making sure there were clauses in the recommendations which came forward which protected minority rights. I think that's a very important aspect. I was shocked to hear him say today that there are all kinds of reasons why this shouldn't go forward as a referendum, that it should be important things like taxation and things like that.

Interjection: The Constitution.

Ms Churley: And the Constitution. He can't wiggle out of this so easily. Education has an impact on every facet of our society. Practically every single person in the province cares about what happens right now in the present and down the road in the future. It has an effect on all of us.

As my leader said today, this is being parent-led. The government tends to say, "This is just the opposition, the NDP, doing this, and the union bosses." Let me say to the

government again that they'd better start listening, because this is led — in fact, it started in the east end, in Beaches-Woodbine. My colleague from there and parents in her riding and in my riding worked to come up with this idea. This Saturday in the riding of Riverdale, and part of East York as well, parents are gathering from 11 o'clock to 3 in the afternoon. They're going to be meeting to gather petitions, go out and knock on doors. They've been approaching me. I haven't been calling them, begging to organize this for them; they're organizing it, they're calling me, saying: "Can you help us coordinate this? Can we use your office? Can you help us with this?" They're doing it. They want to get out there and knock on doors because they know practically every door they knock on, people will want to sign this petition.

The member for Nepean stood up and self-righteously told us they were changing the rules so private members had more of a say in the House. Then, when this caucus tried to stand up the other day and introduce private members' bill — just introduce them, not even vote on them or discuss them — they voted us down one after the other. Now the parents, the people of this province, are asking for a referendum. They have an excuse now to do that.

The Premier insinuated he was going to let his caucus members have a free vote on education. What happened today? Every last one was here standing in their place, whipped in here today. Some looked pretty shamefaced, I have to tell you, but they stood up and voted along with Bill 160. So that's three areas.

Why don't you put your money where your mouth is, at least on this referendum? It's the parents and students of this province who are calling on you to listen to them. You put forward the idea of a referendum; you say you believe in it. For once, listen to the people of this province.

I invite all those who are interested in getting involved in my riding of Riverdale to come out to my constituency office to meet with other parents at 11 o'clock. We're going to go out there and knock on doors and we're going to contribute to those signatures.

Mr Tom Froese (St Catharines-Brock): I'm pleased to rise and speak to the opposition motion by the leader of the third party with respect to the binding referendum and the withdrawal or repeal of Bill 160.

We've consulted for more than a year on this legislation. In September 1996, we launched extensive consultation with the public, teachers, school boards and others as part of the review of the School Boards and Teachers Collective Negotiations Act. We reviewed and considered recommendations made in reports submitted in 1996 by the Sweeney task force and the Working Group on Education Finance Reform. We've continued to have meetings and information sessions with representatives of the Ontario Teachers' Federation, their affiliates, school boards, special education advisory committees, the Ontario Parent Council and the business and financial communities throughout 1997.

In the months leading up to the introduction of this bill, we again held talks with teachers' unions and school boards to finalize this legislation. Earlier this fall as well,

the standing committee on administration of justice held public consultation in five cities across Ontario and heard 217 presentations, which led to over 100 amendments to the legislation. Throughout this process, we've listened and we've learned, and more important, we've acted.

The government cares about education. That is why we're determined to improve quality, efficiency —

Mr Gilles Pouliot (Lake Nipigon): You were listening at the club.

Ms Churley: You don't really believe that.

The Acting Speaker: Members for Lake Nipigon and Riverdale.

Mr Froese: — and accountability of Ontario's education system. I'm sure we can all agree that it has been long overdue in Ontario with a goal to improve the quality, efficiency and accountability of education. We can all agree with that goal.

1650

It's time to act now, to ensure that taxpayers receive full value for their investment in education. With the introduction of the Education Quality and Improvement Act, 1997, this fall, Ontario is acting on behalf of parents, students and taxpayers.

I wish to deal directly with some of the concerns that have been expressed. The minister has already mentioned that it's his responsibility to set the record straight, but it's also mine as parliamentary assistant to the minister, although my responsibility is colleges and universities. It's a responsibility of all of us in this House to set the record straight.

There's been talk about eliminating the teachers' right to strike. The bill will not limit teachers' right to strike. It will not cut education funding and it will not place new restrictions on someone's right to challenge government actions through the courts. I don't know how many times I met with the constituents' primary teachers. The misinformation that has been out there — time and time again they would refer to something in the act that had nothing to do with their real concern. They'd take sections out of the act and refer to it piecemeal.

Those are three areas, anyway: We're not eliminating the right to strike for teachers; the bill does not cut education funding; and it does not place new restrictions on someone's right to challenge the government's actions through the courts.

What this bill will do is allow the government to set provincial standards to promote quality. It would set maximum average class sizes for all school boards in Ontario to address parents' concerns that large class sizes affect their children's ability to learn. I think that probably one of the most important things to parents that I talk to is setting that maximum class size so that their children will have that contact with the teacher one on one and in a smaller class.

The average class size for elementary classes will not exceed 25 and the average class size for secondary school classes will not exceed 22. Contrary to what some of the teachers have said to me, that this will be forever, it's not

forever. These provisions will be reviewed every three years and our goal is to bring those down even further.

It would give teachers more time to do what they do best, and what is that? It's to teach. I know some members across the way have come from the teaching profession and they totally agree with that, because I've talked to them privately and personally and they said that's absolutely right. The teachers need more time to do what they do best and that's to teach. High school teachers will now spend about the same amount of teaching time as their colleagues do on average across Canada. This is something that the elementary teachers in Ontario already do so there won't be any changes there.

It would increase the number of classroom instructional days in the school year to give more of our children more time to learn. That was another very important issue with parents. They wanted more time for their children to be taught. High school students would benefit by about 10 additional days in the classroom; elementary students would benefit by about five additional days of instruction.

The bill will allow students greater access to specialists with professional expertise. This was a contentious item with the teachers but it certainly wasn't with the parents. They understood the need to have professionals with professional expertise and specialists to come in to assist their students. It's not replacing the teachers; they'll be working with the teachers.

The government, with the support of the Ontario College of Teachers, has amended the bill to ensure that professionals and paraprofessionals would complement — I said that already, I guess, but it was worth repeating — they won't replace the classroom teachers in the schools.

Support from specialists in computer technology, the arts and career guidance, to name a few, could be used to complement the instruction provided by the teachers. Their contribution would enrich our children's learning and broaden their horizons.

These are the steps that will help us create an education system in which every child in Ontario has the opportunity to succeed in the classroom and in the future.

Mr Dwight Duncan (Windsor-Walkerville): I'm pleased to join the debate on the NDP's motion. Like my colleagues, I too will vote in favour of it, though I recognize that it is a limited attempt to give expression to the anger that's out there in the province with respect to the education reforms that have been brought forward by the government.

I would concur with some of the government members in saying that you cannot look at 160 in and of itself. You have to look at it in the broader context of funding cuts. You have to look at it in the broader context of drift, in the sense that there is no education policy. There's a budget policy that demands an additional \$667 million in cuts to our education system, a cut in the number of teachers and, yes, there's some game-playing around averages, average student sizes at both the secondary and the elementary levels.

The member opposite who spoke said that these things aren't cast in stone forever. Let me tell you, he's right,

he's absolutely right. He said there will be a review in three years. There will be a review in a year and a half and that review will first be conducted by the people of this province, and then, when there's a new government installed, as there will be, there will be a requirement to bring forward a meaningful education policy.

I would suggest to the government —

Interjections.

The Acting Speaker: Order.

Mr Duncan: Let's talk about that for a minute. Instead of cutting 10,000 teachers out of the system like you've done, why don't you commit to making our students at the top of the test results? You haven't done that. You've cut teachers.

Mr Baird: Let's see your education policy.

The Acting Speaker: Member for Nepean.

Mr Duncan: Why don't we have more local control? I think the government's gone in the wrong direction in centralizing power. Yes, school boards should have the authority, and I'll make a prediction today that if this policy's allowed to stay, if this legislative framework stays, you're going to see a big bureaucracy that no government can control, because your officials in Toronto, far removed from the different parts of this province, won't be able to respond in a timely fashion. You will have a government that has to manage individual school decisions, board decisions, because of the way you've centralized power.

What about class size? Good point. Your class sizes that you've proposed are no different than what's there now. You've played some games to cover up your desire to cut money out of the system. You're not about education reform, you're about budget reform. I think in terms of a policy, yes, we should spend more money on education.

A document I saw today said that on a per student basis we're 48th out of 56 jurisdictions. I think that's shameful, and yes, I would spend more money on education, without question. What I wouldn't do is cut taxes by 30% before I had a balanced budget, before I had a fiscal dividend to deal with. "No, no, we have to do that first to make sure that our supporters are paid off, while we close hospitals, while we make it more difficult to educate our children and while we play games around statistics," statistics that the government has become very clever at exploiting and using to its political advantage.

1700

Instead of cutting \$667 million from classes, instead of letting — and I'll take the benefit of the doubt — somewhere between 4,000 and 10,000 teachers go, instead of playing games around class averages, instead of looking at things in that manner, I say let's look at things in this manner: Let's take the results from the education quality commission and let's commit that we'll have our students at the top end in every category and in every age. Let's commit to spending the resources in the classroom so that Ontario's no longer a lag jurisdiction, it's a lead jurisdiction. Let's commit that, before we cut one more dollar of taxes, we cut 10,000 or 15,000 portable classrooms.

You want an education policy? That's how I'd base it. That's what I'd be talking about. I certainly wouldn't be cutting another \$667 million. I certainly wouldn't be trying to play games around class sizes. What we should be doing is we ought to be looking at our schools and our hospitals and making them the first priority, not a tax cut.

Mr John Hastings (Etobicoke-Rexdale): Would you spend more money?

Mr Duncan: Yes, I say to the member, I would spend more money on education. I'd spend it on the kids. I'd give those kids a chance to compete. This government wants to take it away. This government would rather give a tax cut to its wealthy friends. I say let's give our kids a chance in school and let's invest. Let's spend money on our kids, not on tax cuts that are needless and premature. Let's focus on those priorities: health care and education. You can do that and balance your budget. You can ensure that the province does not have to be fiscally irresponsible.

I suggest to the government it's irresponsible to cut the kind of money out of classrooms that you're cutting out. I think the government has no vision of education. Bill 160 is only indicative of that. I say to the members opposite, there will be a review of this bill. It won't be in three years; it will be a year and a half from now, and the people of this province will set education back on the right course once and for all.

The Deputy Speaker (Ms Marilyn Churley): Further debate?

Ms Frances Lankin (Beaches-Woodbine): I am so proud to be able to participate in the debate on this motion today.

Mr Wayne Wettlaufer (Kitchener): I'm glad that you're proud.

Ms Lankin: I'm glad that you are glad that I'm proud, and I appreciate your intervention. It's so helpful and so witty.

The bottom line is, it was parents who live in the riding of Beaches-Woodbine who came forward with this idea, who believed the government when they said the government supported referendum and citizen-initiated referendum, who said that they wanted an opportunity to prove to the government that there was considerable concern in the province on this issue and that irrespective of what side you are on, in support of or in opposition to Bill 160, there was enough concern to warrant the holding of citizen-initiated referendum. They decided they wanted to initiate this process. They asked me for my help, and I am delighted, along with the colleagues in my caucus, to be assisting them in this process.

I have to say that I found it interesting listening to the speakers thus far from the government, by and large from the government with the exception of Mr Clement, and certainly from all of the official opposition members, how none of them seemed to want to talk about the issue of a referendum and letting people have a say. I understand why from the Liberal Party, because they're split down the middle. They don't actually support our call for a referendum, and I think that is a shame, because it is the people who are calling for a referendum. It is the parents

who are organizing this, the parents who have developed this approach to trying to get this government to listen.

I guess I understand why the government members don't want to talk about it. They don't want to talk about it because the parents are actually saying to them: "These are your ideas, and we are the ones who are saying to you that we're ready to live up to the conditions you have set with respect to a citizen-initiated referendum. Will you, government, live up to your commitment in the Common Sense Revolution that citizens will have the right to initiate referendums on what they consider to be important questions?"

We know Mr Clement has a particularly important history with respect to this issue. He is someone who has pushed in his own political party for the issue to be included in the Common Sense Revolution. He had carriage and governorship of the development of the issue through the white paper and through the committee, representing the government caucus in its majority on that committee in the development of the final report. I am shocked to hear how he today began to squirm and try and wiggle out of the government's commitment, to squirm and wiggle away from what they said was a clear indication of their support for the democratic right of the public to demand citizen-initiated referendum on questions of important public policy.

He said, first of all, "In our report we said there had to be final approval for the question by a third party or commission." Well, if you passed the law that you said you were going to pass, that commission would be there. What are people to do in the absence of a commission? How are they to develop a question? Well, they did it themselves. The parents did it themselves.

He said, "The question has to be clear and concise." I think it's pretty clear. It says, "We're calling on the government to hold a referendum either on the withdrawal of Bill 160 or, upon its passage, on the repeal of that act." Pretty clear, pretty straightforward. It gives people an opportunity to say yes or no signing that petition, "I want a referendum on that question."

He says that it shouldn't be done by a third party or its political agents. Here is where I really want to take exception. I want to underline for everybody in this Legislative Assembly and in the province: I am proud that I and my colleagues are working along with parents to promote this referendum campaign, but I'll tell you, it was not concocted by any political agent. It is a group of parents who are non-partisan, who are not political, who have never been political.

Interjections.

Ms Lankin: You scoff. I'd like you to meet the people in my riding who came up with this idea. I had never met them before you promoted their political activity. I thank you for that, because I think in the next election they might be partisan, and it's going to be in opposition to your government. Those parents and thousands like them across this province are driving this petition campaign. That's where the energy and commitment come from. That's where the energy and commitment will carry on through-

out your term of office to the next election, and then, if you haven't given them a referendum, there will be a final referendum and they will finally have their say.

Mr Jack Carroll (Chatham-Kent): I appreciate the opportunity today to make a few comments on this opposition day motion. Back in June 1995 in Ontario, there was a referendum. I want to read from the Common Sense Revolution what our position was on education:

"Classroom funding for education will be guaranteed.

"That does not mean that savings cannot be found elsewhere in the education system. Too much money is now being spent on consultants, bureaucracy and administration. Not enough is being invested in students directly.... Education reform is essential if Ontario's next generation is to find high-paying, productive jobs."

We had a referendum back in June 1995, and the result of that referendum was that the Conservative government came into power. Bill 160 delivers precisely on the commitment we made during that referendum. It caps average class size, it requires secondary school teachers to spend more time in the classroom, it provides the opportunity for other professionals to come into the classroom and complement the teacher, it provides for a fair and non-discriminatory funding system for the first time in the province, it provides for more parental involvement through mandatory school councils, and it provides for more instruction time for the classroom.

The NDP position on issues is always clear, and I must compliment them because it's always consistent. You can sum it up maybe in the statement that they think trade unions should be running the province. I don't have any problem with that being their position. I disagree with it, but that's their position and I admire them for being consistent in that. But we had five years of their ideas, and in those five years we tripled the debt, we had unprecedented levels of deficit and we ended up with one in eight people trapped on welfare. That's what their system provided, and their ideas haven't changed. They still have exactly the same ideas. They didn't work then; they will not work now. While I disagree totally with their ideas, I give them full marks for being consistent in their ideas.

1710

A previous member of theirs, Dave Cooke, whom they sometimes don't like to take ownership of now although he still proclaims to be an NDP, said: "The teachers' unions in the last number of years have been more the advocates of the status quo. They used to be advocates of change for kids.... I think they ought to get real." Obviously Mr Cooke understands the need for reform in the system.

As consistent as the third party's policies have been on everything, it is really interesting to look at the official opposition's position. What exactly are the Liberal policies? Let's take a look.

Mr McGuinty, the Leader of the Opposition, has said on several occasions — it's interesting that we don't have that many of them in the House tonight — most notably to Robert Fisher on Global TV, "We have no specific policies on education." However, he has said, "The one thing

we will do is we will repeal Bill 160." I guess if Mr McGuinty means that, that then by association establishes a policy for him on education. That policy would be that he favours increased class sizes, that he wants to allow teachers to have less time in the classroom, that he wants to refuse to allow other professionals to come into the classroom and help the teachers, that he wants to return to the out-of-control spending mechanism we've had in this province for so long that saw property taxes go up by 120%, that he wants to eliminate parental involvement in the education of our children by abolishing parent councils, and that he wants to reduce student instruction time. Obviously, if he's going to repeal Bill 160, that becomes his education policy.

But as unfair as that is, can we really be sure that that's his policy? Let's look at his position on the right to strike. Back in 1992, Mr McGuinty, in opposition, put forward a private member's bill to limit the teachers' right to strike, and he spoke of some things like the rights of students to attend class, that some students simply don't return to school after a strike, and that these are no longer acceptable losses. Interestingly enough, in 1992 he advocated the elimination or a limit to legal strikes. In 1997 Mr McGuinty supports illegal strikes.

We put forward an amendment to Bill 160 in clause-by-clause that basically was Mr McGuinty's private member's bill on the right to strike for teachers and there wasn't a single Liberal present to support that amendment to Bill 160.

I want to read a letter that I received during the heated debate on Bill 160, dated November 22.

"Yesterday I received your name and fax number from Mr Dalton McGuinty. He would like me to tell you what I think of Bill 160. I will do that.

"Two years ago the Ontario people voted in the Conservative Party on the promise of cutbacks in government spending and education reform. The government is delivering on those promises. I did not vote in a Liberal government, and I don't remember seeing a box on the ballot that said "teachers' unions."

And now we find out that most of Bill 160 is already in the Education Act.

"Mr McGuinty and the teachers' unions say that they are for quality education in Ontario. I wonder what difference it makes to a six-year-old grade 1 student whether or not her or his principal belongs in the teachers' union.

I thought the topic of conversation here was education."

Signed by Pat Maloney, a very concerned parent from Ottawa.

I'd like to spend a few minutes talking about the member for Essex-Kent. On November 17 he delivered a package in the House: a package for the Minister of Education, a package for the Premier and a package for me. He said they represented a copy of each and every one of his taxpayers communications. I'd like to talk about that particular package. It wasn't enough that he sent it three times in the House — once to the Premier, once to me and once to the minister — he sent three packages to my office; the same material, obviously printed on fax ma-

chines, paid for by the taxpayers. What a terrible waste of taxpayers' money.

In that package there were 222 items and 134 of them had to deal with Bill 136, sent to us by teachers about Bill 136. I have no idea where the member for Essex-Kent was coming from.

We had a public meeting at Chatham Collegiate and at that public meeting the member for Essex-Kent accused me of misleading the people by telling them that in Bill 160 there were a couple of issues: one to deal with honoraria for trustees and the other one to deal with student representation. He told those people that wasn't even in the bill. I'd like to remind the member that on page 85, subsection 191(2) sets the maximum trustee honorarium at \$5,000, and on page 39, subsection 55(1) allows for student representation on school boards. It would appear as though the member for Essex-Kent hadn't read the bill. I believe it's incumbent upon all of us on both sides of this House, if we're going to argue about a bill and support it or reject it, that we should at least know what it says.

I'd like to finish by saying one thing. I have a vision of education: higher-quality education at the best value to the taxpayers. I believe teachers in my county of Kent support that vision.

In the war of words that has preceded the passage of this bill, there have been a lot of things said that were offensive. I want to go on record today as saying that if I have said anything that has offended anybody in my riding, I apologize for that. I think it's time we worked together with Mike Chater, Ginn Rawlinson, Ruth Behnke, Barb Gundy, Janet Cadotte, Danielle Francis and all the teachers in Kent county to improve the quality of education.

A lot of the teachers have said they're going to campaign against us in the next election. If their unions' perception of Bill 160 is correct, then I would welcome them to campaign against us and I believe they should. However, if their unions are wrong about Bill 160 and we are right that Bill 160 will improve the quality of education at better value for the taxpayers of this province, I fully expect every teacher in this province to support the Conservative government in the next election.

The Deputy Speaker: Further debate.

Interjection.

The Deputy Speaker: Member for Ottawa-Rideau, come to order.

Mrs Sandra Papatello (Windsor-Sandwich): Our caucus is completely opposed to Bill 160. I think that's very clear. Dalton McGuinty led on this issue from the very outset. We appreciate that the NDP opposition, the third party, is trying to stop the government's implementation of Bill 160 and we applaud them for their efforts. Anything they're going to try to do to stop the implementation of Bill 160 is laudable. Certainly, I may not agree with what they're trying to advance to stop it, because frankly it won't stop this gang. We don't want to get into a discussion about referenda because this is the last government that's going to want to come forward now with legislation after their abysmal track record with referenda.

We need go no further than the megacity debate, where 85% of the people wanted not to have a megacity, and even after a referendum, you completely ignored them.

Mr Hastings: You are opposed to referenda; always have been.

Interjections.

The Deputy Speaker: Member for Windsor-Sandwich, take your seat for a minute.

Member for Etobicoke-Rexdale, please come to order. I would ask both sides of the House to come to order.

Mrs Papatello: The truth is that in Bill 160, as we all know, you have buried information that will not become available to the public except through regulation. This government continues to bury information that should be available to the public. Everything in Bill 160 is about regulation. We know what that's about. We just came from a committee room where this government is trying to bury the Liberal report, a committee report on the impact of this government's cuts to children and the disabled. They are using every twist imaginable so that gets tossed out, because if it's not done by December, unfortunately we're going to lose the opportunity for the report.

Time and time again this government tried to turn over every opportunity available to opposition parties to get the truth out. You find it hard to believe that Her Majesty's loyal opposition has a dual role to play in this place. But we will not give up. Our party is on record as opposing Bill 160. We appreciate the fact that this party, the third party, is trying any way to stop Bill 160. We have to support them on that because we've led the charge against Bill 160. We know what's important to children and their parents.

We look at the detail of Bill 160 and the very latest amendment made by this government to pull the word "advisory" out of "parent council," and the very fact that you choose to remove principals and VPs from the bargaining units, pulling at the educational leadership within the schools. That is wrong — very wrong.

1720

We asked a question of the minister today in the House. I asked Dave Johnson, "Do you believe in charter schools?" and he would not answer the question. That tells us where this government is headed. Charter schools are the worst thing that can happen to the majority of children in this province, and this minister didn't have the nerve to stand up and even give his opinion or give the government position, because you don't want people to know what your real agenda is where education is concerned. You don't really want people to understand that it's going to be a system where if you have the money for an education, your kids will be just fine, and if you don't have the money for an education, your kids do not have the opportunities available to the rest.

Interjections.

The Deputy Speaker: Order. Member for Etobicoke-Rexdale, come to order.

Mrs Papatello: We know that's the way it used to be like in many jurisdictions in North America. We don't expect that here in Ontario. We think every child should

have every opportunity for an education and a quality education.

While these ministers may tell me to sit down, because you don't want to hear the truth, I would ask these ministers in this House to ask your Minister of Education, "Why would you not answer the question about what your position is on charter schools?"

Interjections.

The Deputy Speaker: Order. Member for Scarborough East, come to order.

Mrs Pupatello: You had every opportunity today to say, "No, we oppose," but you did not answer the question because you do have an alternative agenda where education is concerned and it is not in the best interests of children in Ontario.

Mr Tony Silipo (Dovercourt): I come at this particular motion today with more than just some passing interest, both because it actually ties into subject matters that I have a great deal of personal interest in, and obviously our caucus has a lot of interest in, and that is the question of referenda and the substantial question of education and what this government is doing.

It really is wonderful to see what we've done and what we've managed to do with this notion of a referendum on Bill 160, because the government members are having to squirm all over the place as they try to explain now why on the one hand they approve of the idea of referenda, but not in this case — not in this case because here we've had discussion and here we don't need to have the people decide. I want to say to the government members, as one who supported and who supports the notion of referenda having a place within the confines and the structures of a parliamentary system which, I continue to believe and we all I think continue to believe on this side, needs to continue to be the basis of our system of government. As I indicated through my participation on the committee that dealt with this framework, I am very comfortable with the notion of referenda being used on issues that are very difficult.

Interjection.

Mr Silipo: It's not a flip-flop, I say to the former Minister of Citizenship. Read the report. Read my position in that report. Read the Hansard of the committee report. You'll see that it's actually quite consistent, and if the Minister of Transportation were here, he'd be the first to witness that what I am saying and what our caucus is saying has been 100% consistent with the position we have taken.

We are now saying to this government, "Yes, there is a place for referenda on some important issues of public questions when the government, particularly as in this case, won't listen to the thousands of people who out there are saying: 'What you are doing is wrong. Gutting the education system in this province is wrong.'" Then the only thing that's left is for us to resort to that other avenue which they would like.

Interjections.

Mr Silipo: It sounds like they're not so thrilled about the idea of referenda any more; I thought they were in

favour of it. If they're in favour it, then what are they afraid of? Why are they afraid of putting an important issue like Bill 160 and everything it represents out to the people for a referendum? Because we know and people across this province know that what Bill 160 represents is the gutting of our public education system.

We believe that no such action should be taken, even by a majority government that obviously in law has the right to pass whatever legislation it wishes, that no government should continue to ignore the express will of thousands and thousands of Ontarians in this province who are saying to you: "No. What you are doing is wrong. What you are doing is fundamentally against the grain of the society that we have developed here in Ontario."

Ms Marilyn Mushinski (Scarborough-Ellesmere): That's not what Dave Cooke says.

Mr Silipo: Again, the former Minister of Citizenship: "That's not what Dave Cooke says." Let us be really clear. Dave Cooke is now a civil servant. Dave Cooke may speak for himself. Dave Cooke does not speak for the New Democratic Party. Let's be very clear on that issue. So you can quote Dave Cooke all you want.

I want to say in fairness to Mr Dave Cooke that there are a number of issues in terms of the reform of this education system that we might be prepared to support and would be prepared to support, but we know that Bill 160 is not about reforming the system of education. Bill 160 is about gutting the system of education. Bill 160 is allowing a legislative framework that puts into the hands of the Minister of Education powers unheard of before in this province to allow the minister and the cabinet, in the secret meetings that go on, to be able to make decisions around the funding formula which we know will cut hundreds of millions of dollars from the system of education.

I want to say to the members opposite I recall second reading debate on Bill 160 when we made the point repeatedly that what this government was going to do through this legislative bill was to give the minister the right to cut hundreds of millions of dollars from the system. They said, "Where do you get that idea that they're going to cut this kind of money?" Then, lo and behold, the deputy minister's contract is revealed by our leader, and what happens? The premier has to admit that, yes, they are in fact going to be looking at cutting that kind of money.

So what happens? Obviously the government has got its act together in terms of reining in those few people in the government caucus who have dared to speak out in favour of their constituents, but what we are saying here today is, democracy will not be put aside and the democratic will of Ontarians across this province cannot be set aside. This motion calls on this government to live by its words, to put this issue to referenda because it's a fundamental one as far as the education system of this province is concerned and as far, quite frankly, as the democratic principles of this province are concerned.

If you will not do it, you will continue to pay the price that you are paying now and that you will pay come the next election.

The Deputy Speaker: Further debate?

Mr Ted Chudleigh (Halton North): On November 27, Bill 160 was introduced for third and final reading and an assortment of Ontario's union leadership shouted about the loss of democracy in this House. This bill is in fact an exercise in democracy and will take back our classrooms for students, teachers, parents and taxpayers.

When big unions negotiated terms and conditions with 129 small boards across Ontario, the result was a skyrocketing price of education and a system which began to fail. We saw and heard about this failure through larger and larger classroom sizes. Big unions negotiated agreements with small boards guaranteeing less instructional time. We saw the result in our children and grandchildren who couldn't add or multiply without a calculator and were falling behind in reading and writing. Big unions made agreements with small boards resulting in fewer school days per year and more and more professional development days. Most disturbing, we saw the effect at community colleges where remedial classes in English are offered, and in one case, as high as 40% of their applicants, to ensure entrance into first-year post-secondary programs, had to take remedial English. These classes were not even offered 10 years ago.

Yes, we have a good system in Ontario today but it's not good enough. If we are willing to accept the status quo, then we are willing to accept producing below-average students. As a parent and as a grandparent, I believe we have a responsibility to ensure that we do better than that.

Mr Peter Kormos (Welland-Thorold): Eye contact with the camera, Ted.

The Deputy Speaker: Member for Welland-Thorold, come to order. You're not even in your seat.

Mr Chudleigh: Frankly, I would not support the bill if I believed it would adversely impact on our children's future. We are short-changing ourselves and our children to believe that we cannot be better than we are today. The decline has gone on for long enough and it's time to improve education in our schools.

This bill will do what all Ontarians have asked for some time now: improve the overall quality of educating our children.

1730

Mr Chudleigh: After dozens of reports, royal commissions and a countless number of studies and reports, the time to do something is now. But like in all areas of significance in our lives, change is never easy. Information has been twisted and turned to suit the purposes of those who believe that this bill is about power. They and their supporters have tried to fool the public into believing that Bill 160 isn't about students at all by using infantile tactics and arguments such as saying that the word "student" doesn't even appear in the bill. Well, there's proof.

Mr Rosario Marchese (Fort York): What are we talking about here, Ted?

The Deputy Speaker: Order, member for Fort York.

Mr Chudleigh: The people of Ontario are smarter than this and remember their primary English lessons regarding synonyms and will recognize that the word "pupil," which

coincidentally does appear in the bill and appears over 200 times, can be used as a synonym for the word "student" and in this case is the legal reference used in place of the word "student." Some members of the opposition missed this lesson and I'd recommend a refresher course in remedial English, as prescribed by many of our community colleges, and Bill 160, complete with smaller class sizes and more pupil-teacher interaction.

Some groups have used their power to convince parents and children and teachers alike that Bill 160 will tear the heart out of public education. These people are wrong. Our teachers are the heart of our public and separate educational system.

As a government, we recognize at these times that our teachers, no matter where they live in Ontario, are social engineers for any range of issues and problems, from dealings with scrapes in the school yard to problems at home, teen angst as well as physical and emotional development. Teachers interact with our children in a significant part of their early development and complement, not replace, a parent's role of directing them towards adulthood. The most important part of the teacher's role in our system is to pass on the skills and knowledge necessary for pupils to learn. That means that we need teachers to do what they do best, and that's teach.

Bill 160 deals with this issue and quite clearly lists requirements for class size, teaching time and the length of the school year, all measures which will impact a pupil's learning by increasing the length and time in educational instruction.

With the pressures of the global economy, receiving a relevant, quality education makes it necessary for more in-class contact between teachers and students. Bill 160 achieves this.

This bill has a tremendous impact on the expansion of democracy and encourages participation and choice for parents and stakeholders in education. One of the myths perpetuated about Bill 160 is that the government wants to remove power from locally elected school boards. The government is removing the ability of the local school board to impose educational property taxes, period. The powers of school boards and trustees would still be to ensure local representation, accountability and policy implementation in accordance with the act and its regulations. So here we have elected officials saying that the impact, while change, is a positive one and does not suspend local democracy but enhances it.

Further, this government is stepping up to the challenge where property taxes and education are concerned. Ontarians will not have to suffer the game of, "Who is to blame for the cost of education?" The public also will not have to suffer through a whopping 120% increase in property taxes, as they did from 1985 to 1995, without recourse. In the future, their fingers will be firmly pointing towards the provincial government. Making democracy more accessible and less confusing for Ontarians means better, more responsive government.

That's why I take great pleasure, last Thursday and again today, in supporting Bill 160 and why I will not be

supporting the opposition day motion on the bill this afternoon.

Mr Mike Colle (Oakwood): I will certainly support the motion of the NDP. I think it attempts to deal with the reality of Bill 160, where the bill has been passed. It attempts to give an opportunity to people who want to continue to oppose Bill 160 to participate and be heard. I think that's a very legitimate exercise and should be encouraged, and hopefully it will be successful.

In terms of this bill and the discussion and heated debate we have had here, I just want to relay what I think this is about for me and my constituents. On Friday, I was at a graduation ceremony at Vaughan Road Collegiate Institute. Vaughan Road is an inner-city school. It is in a very challenging situation with new immigrants coming in, so the teachers there have had to work extra hard to prepare their students for university and college and the working world.

I've been going to graduations with my own four children over I guess the last 25 years. I have taught myself. I have gone to many graduations. I don't think I was ever as impressed with a graduation as I was on Friday night.

Typical of what happened at Vaughan Road that night at the graduation and why I was so impressed was a young woman by the name of Elizabeth Foo. Elizabeth Foo was an immigrant from Malaysia along with her family. Her parents own a small bakery and they make a decent living. But Elizabeth, who came to Canada unable to speak English at all, graduated from OAC at Vaughan Road with an average of 95%. This young woman was tops in her class in six subject areas, from mathematics to biology to English. She volunteered at the school to help newcomers who came into the school. She participated in athletics in the school, in badminton. She was a model student who, with the help of her teachers, was able to accomplish this 95%. Subsequently, she got a \$4,000-a-year scholarship to the University of Toronto because of her average. She competed with another 1,500 kids and became one of the chosen to receive that scholarship.

Here's a young lady who went to a school that, as I said, is filled with children from 55 different countries, speaking different languages. Elizabeth is typical of a lot of students who graduated that night who have gone on in music, who have gone on in physics, to universities in Canada and in the United States from Vaughan Road Collegiate. She did it because her parents and her teachers supported Elizabeth. She couldn't have done it without that kind of support. She is a success story, and I think she is more typical than the exception.

Our school system isn't perfect and we know it has a lot of imperfections. Our public school system is far from perfect, but the successes are never talked about by this government. This government's attitude from day one in education has been to malign teachers, malign the system, malign public education on a daily basis. What was most offensive during this orchestrated attack on public education and the students and teachers of public education was the attack ads paid for by this government and the Premier. Day after day this government, with taxpayers'

dollars, continued to malign the system, the children in it, the teachers especially, with personal attack ads on teachers and students.

This is what this government does to respond to the challenge our education system faces. It doesn't try to build, it doesn't try to help; it tries to get its own way, no matter what, by destroying, by attacking, maligning, denigrating hardworking parents, hardworking students like Elizabeth Foo, and their teachers who, despite challenges, have had more successes than failures. But if you listened to this government and its spokespersons, you would think we had the worst education system in Canada or North America.

They never talk about the achievements despite the challenges; they never talk about the good students and the dedicated teachers who are in every school, who are in every part of this province. This government chose instead to get its agenda across, to malign and attack and denigrate, so they could extract money out of classrooms. Where it is proven that the government's primary objective is to malign and denigrate, to take money out of a system that was already underfunded, is in that letter, the contract with the deputy minister, Veronica Lacey. There was proof positive this government's Bill 160 is all about taking more money out of the system, a system that is in need of more investment in young people so they can achieve what their potential is.

1740

That's what Bill 160 is about: money and power. It's about centralizing power. Here's a government that supposedly talks about small government. It has created one of the largest, now centralized power structures in Canada. This new department of education will have total, complete control of every student in this province, every teacher, every school. They will be controlled out of some back room by a bunch of bureaucrats and whiz kids who report to only one person: Mike Harris. That is what has happened to our education system, and it's a tragedy because there are so many good students and teachers who over the years have benefited by an open public education system which, sure, has had its trials and tribulations, but the successes are what we should be building on, not attacking and destroying.

On the government side there are too many Monday morning quarterbacks. All they do is criticize, second-guess, attack schools, principals, vice-principals; that's all they have done, negative attack after negative attack against teachers in our schools, and that hasn't helped anything. Again, to add more fuel to the fire, they even have the nerve to spend taxpayers' dollars attacking our schools and students and teachers in paid government ads on television on a daily basis. Even their own members have complained about these negative attack ads.

They have not achieved anything that helps education or the students. All they have done is tried to, as the previous minister said, create a crisis, attack the children and their parents and teachers, who have helped make this system workable and successful. We should not be buying this line that this government is about accountability. The

only accountability for Bill 160 will not be with the members; as I said, it will be with a little junta in some back room, faceless whiz kids who are answerable to no one. The parents will be shut out, the students will be shut out. With less money and less resources, this government is gambling with our children. They are risking the future of our children in a reckless attack. That is what they should never be forgiven for.

I hope people do not forget Bill 160 but remember it and continue to oppose it, whether it be through this referendum or through other organized attacks to remind this government and the backroom whiz kids that the province belongs to the children, it doesn't belong to you. You didn't buy the province when you won the election; it still belongs to the people and the children of this province. It's not yours. It's not for sale.

The Deputy Speaker: Further debate?

Mr Gerry Phillips (Scarborough-Agincourt): I'm pleased to join the debate on Bill 160. Listening —

Interjection.

Mr Phillips: The member for Etobicoke-Rexdale is barracking away over there as usual with his inspired interjections; he just makes noise.

I want to say that this bill, without question, and the public I think now appreciate it, is perhaps one of the more fundamental attacks on the democratic running of our school system. The bill puts total power for education in the hands of the minister. That is exactly what the bill does and, for me, that's not right. I've talked often with the Conservative backbenchers, and I often thought that was exactly the opposite of why they thought they got elected. I think most of them believe in local input, most of them believe that Queen's Park, particularly the bureaucrats at Queen's Park, do not know what's best for their community, they do not know what's best for Flesherton or Arthur or Windsor; that people in those communities have a right to have an input into education.

Any objective analysis will show that now the Minister of Education and her bureaucrats have complete, total control over education. There is not a school board in the province that will not be given its exact budget and be told exactly how much they can spend. All of those decisions will be made not even here in the Legislature; they'll be made by the minister, the Premier and the bureaucrats. That's not right. That is not how we want our schools run. We don't want them in the hands of the minister.

I would just say the test of this is that there has been an NDP government. Mike Harris would have been apoplectic, his face would have been so red, he would have been so angry he would never have let this bill pass. Why? Because it takes out of the hands of any elected person any ability to have input into our education system. Any objective analysis says this is the most undemocratic bill I've seen.

The second thing I want to communicate is that we now give Mike Harris the unilateral, single power to set \$6 billion worth of property taxes without any question of a doubt.

Mr Steve Gilchrist (Scarborough East): Show me where Mike Harris —

Mr Phillips: The member for Scarborough East, Mr Gilchrist, is barracking again, but he is going to vote for that bill. He will give Mike Harris the power to set \$6 billion worth of taxes with the stroke of a pen. I want to say to the business community in Scarborough that this is what Steve Gilchrist is doing.

I'll tell you what's going to happen in 1998. You are going to get your property tax bill in July —

Mr Gilchrist: That is what you did: raise the taxes every year.

The Deputy Speaker: Member for Scarborough East, come to order.

Mr Phillips: I know Mr Gilchrist hates to listen. He loves to talk. But your time for talking is over, Mr Gilchrist. Maybe you could learn something. Just listen for once.

I'm going to tell the business community in Scarborough that Mike Harris and Steve Gilchrist refuse to allow them to appeal their 1998 property taxes until after — they'll get their tax bill in July; the date for appealing is June 29. They can't even appeal their taxes, because the date for appeal is gone before they get their tax bill. Mike Harris's \$6-billion property tax bill will hit our businesses in July. That's when people will find out what Mike Harris has done to them on the property tax. Let me tell you when the last date for appeal is: June 29. But nobody will get their property tax bill until July. We said, "Surely they should be allowed to appeal their tax bill after they get this bill." No. Mike Harris says you can't appeal it.

I will just give you fair warning, Mr Gilchrist. I'm going to be telling the business people in Scarborough when they get their tax bill that it was Steve Gilchrist and Mike Harris who denied them the right to appeal their taxes after they got their taxes.

Mr Gilchrist: No problem, Gerry.

Mr Phillips: He says, "No problem," and that's what I'm looking forward to.

I would also say that I went many days here listening to Mike Harris say, "We have no intention of cutting education spending." He sort of said: "You in the opposition, Mr McGuinty and Mr Hampton, you are imagining things. You're imagining things. This is all in your mind. We have no intention of cutting money out of education." Then, lo and behold, Mike Harris was caught because there was a contract between the government and the Deputy Minister of Education, that Mike Harris was a party to, saying they were going cut \$667 million.

Mike Harris was forced to admit: "Well, maybe you've caught me. We can find this money. You've caught me. I now acknowledge that that was my plan, to cut money out." For days he said it wasn't, and so I say to the people who are watching this, you wonder why we have difficulty in believing the Premier. For days he said, "No, we have no intention," until the evidence was presented, and then he said: "Whoops."

Mr Duncan: Caught red-handed.

Mr Phillips: Caught red-handed, as my colleague said.

I want to also say a few words just quickly about Metro. I've actually heard Mr Gilchrist — I don't think he'll deny this — saying: "There's too much money being spent on education in Metro. We've got to cut the money out of education in Metro." He said that at public meetings.

Mr Duncan: Dave Cooke said that.

Mr Phillips: Well, he said that's right, and I'm glad you confirmed that. One of the reasons why Metro, this metropolitan urban area, has been designated as the finest urban environment in North America, if not the world, is our education system. Regardless of where you live in Metropolitan Toronto, you can be assured that you can send your students, your children, to the local —

Mr Gilchrist: Because of two members in Scarborough.

Mr Phillips: Mr Gilchrist — I hope the public can hear him — as usual is barracking. He hates to listen. He loves to talk. You're going to have to wait for a while, Mr Gilchrist, because you are going to have to listen to this.

You are planning to gut education in Metropolitan Toronto. Mike Harris was over in Europe bragging about the quality of life in Metro Toronto, "Nothing like it." I'll tell you why it's that quality of life. It's because we have an education system here where we're investing in it and where regardless of where you live in Metro Toronto, you can be assured there is a quality school in your neighbourhood.

But no, that's too much for Mike Harris to believe. He's going to gut that. I will just say to him, he's playing with fire. The reason for the success in Metropolitan Toronto is the quality of our education and the quality of our schools, and this is what this bill is all about: gutting it. I will tell you, I am extremely worried about the future of our schools here in Metropolitan Toronto, because I know what Mike Harris is all about. He's going to pull that money out.

Finally, the public understand that the bill passed earlier despite the best efforts of many of us, but you will find in the months ahead the real impact, and that is on the students, the parents and the quality of life in the province of Ontario, and it's going to be very, very bad.

1750

Mr Bud Wildman (Algoma): I am pleased to wind up the debate on behalf of our caucus on this motion put forward by my leader calling for a referendum on Bill 160, the education bill that passed third reading earlier today in the Legislature. Some might wonder why we are bringing this matter forward at this time. I would just like to make clear that throughout this debate around the quality of education in Ontario, throughout the debate about Bill 160, it has been clear that there is a wider issue even than the future of the education of students in this province, and that is the commitment to democracy on the part of the members of the government, on the part of the members of the Assembly. That's why we have brought this matter before the House.

I don't think I need to remind the members of the House that it was the Premier, Mike Harris himself, who

brought forward the idea in the 1995 election campaign and said that Ontarians wanted more direct democracy. The Premier subsequently initiated a white paper calling upon the Legislature to consider citizen-initiated petitions for referenda on important issues in the Legislature in the province.

Subsequently, the standing committee on the Legislative Assembly studied that white paper. My friend from Dovercourt and myself served on that committee along with the member for Brampton South, who is now the Minister of Transportation and at that time was the parliamentary assistant for the Premier, and other members. We considered the whole question of referenda and how it might serve the interests of the people of Ontario and serve the interests of democracy.

That committee decided that a government could be forced to conduct a binding referendum when signatures of 10% of the eligible voters are collected asking for a referendum in Ontario. I would quote the member for Brampton South where he said, "In an initiative, it is the citizenry, not the political élite or the media, who are determining what is an appropriate issue for a referendum."

This is the case. In this particular case, parents in east Toronto initially, and in other communities — Hamilton, Ottawa, Peel, other communities across the province — said they wanted to have a referendum about Bill 160 because they are concerned about the concentration of power that the bill would give the cabinet over education of their kids. They were concerned about democracy and they said they wanted to have a direct say. They wanted to be able to say whether they supported this kind of change in the educational governance of Ontario and the way that the students of Ontario are educated.

We are calling today for the government to live up to its stated principles that the government is in favour of direct democracy. I look at the report of the standing committee that studied the white paper from the Premier. That committee recommended, "Statutory authority should be provided for the holding of citizen-initiated referenda whereby citizens by petition may require that a referendum be conducted on any matter within the jurisdiction of the Legislature." Then, "An initiative petition must be signed by at least 10% of the eligible voters in the province in order for the initiative to be put on a referendum ballot." This of course —

Interjection.

Mr Wildman: No, we supported this in the committee. The two of us were members of the committee, and we voted for the recommendation. The committee supported the recommendation in the majority. This is based on the philosophy which is described on page 2 of the committee report. It says:

"We see referenda as helping to increase the accountability of government and the Legislature to the citizens of Ontario. The referendum tool serves as a means of improving public participation in the decision-making process and enhancing the legitimacy of that process. It can accordingly strengthen confidence in difficult public pol-

icy decisions and in our institutions of government. Referenda then can help to counter cynicism about politics. A further benefit of referenda is derived from the campaigns themselves, which can serve to educate the public about policy issues."

I agree completely with that, and so does our caucus. The fact is that we hope that, through this referendum campaign that we have initiated along with the parents in this province, we can educate the public to the point where they will understand the serious ramifications that Bill 160 will have for the quality of education in this province, the serious implications it will have for less accountability at the local level, less control over education at the local level, less control over educational taxation and funding at the local level.

But more than that, I'm calling on the members of the government party to consider very seriously this statement: "Referenda then can help to counter cynicism about politics." I really call on the members opposite to think about this. Here we have a government that is led by a Premier who has advocated referenda on important matters being initiated by the citizens of the province. There is no issue more important than the education of our children, than the education of the future citizens of this province. There's no more important issue.

So think carefully about this: Do you think that voting against a referendum on Bill 160 will result in more or less cynicism on the part of the public? Surely it can only be counterproductive for this government, which has advocated referenda, to vote against the possibility of holding a referendum on such an important issue, particularly since this is following the rules set out by the Premier himself in his white paper: that there be 10% of the electorate, that those signatures must be collected within six months. I don't think it's going to take nearly six months to get 700,000 or so signatures on this matter because so many people are upset and angry at this government for ramming Bill 160 through over the objections of the majority of the people of this province.

In the megacity issue the government members argued that wasn't a fair referendum because the government hadn't set the question, the government hadn't administered it and it was set by the local municipality. We're not suggesting that in this case. We're suggesting that the provincial government follow through its own guidelines, the guidelines set out by the Premier in his white paper, to follow those guidelines and to have a true direct democracy decision about the future of quality education in this province, a true, direct decision by the citizens of this province on whether Bill 160 should proceed or whether we should have a true consultation about the future of quality education in Ontario.

The Acting Speaker (Mr Bert Johnson): Mr Christopherson has moved opposition day number 4. Is it the pleasure of the House the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the nays have it.

Call in the members; there will be a five-minute bell.

The division bells rang from 1800 to 1805.

The Speaker: All those in favour of the motion, please stand one at a time and be recognized by the Clerk.

Ayes

Bartolucci, Rick	Curling, Alvin	Martel, Shelley
Bisson, Gilles	Duncan, Dwight	Martin, Tony
Boyd, Marion	Grandmaître, Bernard	Miclash, Frank
Bradley, James J.	Gravelle, Michael	Patten, Richard
Caplan, David	Hampton, Howard	Phillips, Gerry
Christopherson, David	Kennedy, Gerard	Pouliot, Gilles
Churley, Marilyn	Kormos, Peter	Ramsay, David
Colle, Mike	Kwinter, Monte	Sergio, Mario
Conway, Sean G.	Lankin, Frances	Silipo, Tony
Cordiano, Joseph	Laughren, Floyd	Wildman, Bud
Crozier, Bruce	Marchese, Rosario	Wood, Len

The Speaker: All those opposed, please rise one at a time and be recognized by the Clerk.

Nays

Arnott, Ted	Gilchrist, Steve	Parker, John L.
Baird, John R.	Grimmett, Bill	Pettit, Trevor
Barrett, Toby	Guzzo, Garry J.	Preston, Peter
Beaubien, Marcel	Hardeman, Ernie	Rollins, E.J. Douglas
Boushy, Dave	Hamick, Charles	Runciman, Robert W.
Brown, Jim	Harris, Michael D.	Sampson, Rob
Carr, Gary	Hastings, John	Shea, Derwyn
Carroll, Jack	Hodgson, Chris	Sheehan, Frank
Chudleigh, Ted	Hudak, Tim	Skarica, Toni
Clement, Tony	Jackson, Cameron	Smith, Bruce
Cunningham, Dianne	Johns, Helen	Snobelen, John
Danford, Harry	Johnson, Bert	Spina, Joseph
DeFaria, Carl	Johnson, David	Sterling, Norman W.
Doyle, Ed	Jordan, W. Leo	Stewart, R. Gary
Ecker, Janet	Klees, Frank	Tsubouchi, David H.
Elliott, Brenda	Leach, Al	Tumbull, David
Eves, Ernie L.	Leadston, Gary L.	Vankoughnet, Bill
Fisher, Barbara	Marland, Margaret	Villeneuve, Noble
Flaherty, Jim	Martiniuk, Gerry	Wettlaufer, Wayne
Ford, Douglas B.	Munro, Julia	Wilson, Jim
Fox, Gary	Mushinski, Marilyn	Witmer, Elizabeth
Froese, Tom	O'Toole, John	Wood, Bob
Galt, Doug	Ouellette, Jerry J.	Young, Terence H.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 33; the nays are 69.

The Speaker: I declare the motion lost. It now being past 6 of the clock, this House stands adjourned till 6:30 of the clock this evening.

The House adjourned at 1808.

Evening sitting reported in volume B.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenante-gouverneure: Hon / L'hon Hilary M. Weston

Speaker / Président: Hon / L'hon Chris Stockwell

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member / Député(e)	Constituency / Circonscription	Party / Parti	Other responsibilities / Autres responsabilités
Arnott, Ted	Wellington	PC	parliamentary assistant (small business) to the Minister of Economic Development, Trade and Tourism / adjoint parlementaire (secteur petites entreprises) du ministre du Développement économique, du Commerce et du Tourisme
Baird, John R.	Nepean	PC	parliamentary assistant to the Minister of Finance / adjoint parlementaire du ministre des Finances
Barrett, Toby	Norfolk	PC	
Bartolucci, Rick	Sudbury	L	
Bassett, Hon / L'hon Isabel	St Andrew-St Patrick	PC	Minister of Citizenship, Culture and Recreation / ministre des Affaires civiques, de la Culture et des Loisirs
Beaubien, Marcel	Lambton	PC	
Bisson, Gilles	Cochrane South / -Sud	ND	deputy New Democratic Party House leader / chef parlementaire adjoint du Nouveau Parti démocratique
Boushy, Dave	Sarnia	PC	
Boyd, Marion	London Centre / -Centre	ND	
Bradley, James J.	St Catharines	L	deputy opposition leader, opposition House leader / chef adjoint de l'opposition, chef parlementaire de l'opposition
Brown, Jim	Scarborough West / -Ouest	PC	parliamentary assistant to the Minister of Correctional Services / adjoint parlementaire du ministre des Services correctionnels
Brown, Michael A.	Algoma-Manitoulin	L	deputy opposition whip / whip adjoint de l'opposition
Caplan, David	Oriole	L	
Carr, Gary	Oakville South / -Sud	PC	
Carroll, Jack	Chatham-Kent	PC	parliamentary assistant to the Minister of Community and Social Services / adjoint parlementaire de la ministre des Services sociaux et communautaires
Castrilli, Annamarie	Downsview	L	
Christopherson, David	Hamilton Centre / -Centre	ND	
Chudleigh, Ted	Halton North / -Nord	PC	parliamentary assistant to the Minister of Natural Resources / adjoint parlementaire du ministre des Richesses naturelles
Churley, Marilyn	Riverdale	ND	Deputy Speaker and Chair of the Committee of the Whole House / Vice-Présidente de la Chambre et Présidente du Comité plénier de l'Assemblée législative
Cleary, John C.	Cornwall	L	
Clement, Hon / L'hon Tony	Brampton South / -Sud	PC	Minister of Transportation / ministre des Transports
Colle, Mike	Oakwood	L	
Conway, Sean G.	Renfrew North / -Nord	L	
Cordiano, Joseph	Lawrence	L	
Crozier, Bruce	Essex South / -Sud	L	
Cullen, Alex	Ottawa West / -Ouest	L	
Cunningham, Hon / L'hon Dianne	London North / -Nord	PC	Minister of Intergovernmental Affairs, minister responsible for women's issues / ministre des Affaires intergouvernementales, ministre déléguée à la Condition féminine
Curling, Alvin	Scarborough North / -Nord	L	deputy opposition House leader / chef parlementaire adjoint de l'opposition
Danford, Harry	Hastings-Peterborough	PC	parliamentary assistant (Agriculture and Food) to the Minister of Agriculture, Food and Rural Affairs / adjoint parlementaire (secteurs Agriculture et Alimentation) du ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
DeFaria, Carl	Mississauga East / -Est	PC	

Member / Député(e)	Constituency / Circonscription	Party / Parti	Other responsibilities / Autres responsabilités
Doyle, Ed	Wentworth East / -Est	PC	deputy government whip / whip adjoint du gouvernement
Duncan, Dwight	Windsor-Walkerville	L	
Ecker, Hon / L'hon Janet	Durham West / -Ouest	PC	Minister of Community and Social Services / ministre des Services sociaux et communautaires
Elliott, Brenda	Guelph	PC	
Eves, Hon / L'hon Ernie L.	Parry Sound	PC	Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
Fisher, Barbara	Bruce	PC	parliamentary assistant (Rural Affairs) to the Minister of Agriculture, Food and Rural Affairs / adjointe parlementaire (secteur Affaires rurales) du ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Flaherty, Hon / L'hon Jim	Durham Centre / -Centre	PC	Minister of Labour / ministre du Travail
Ford, Douglas B.	Etobicoke-Humber	PC	assistant deputy government whip / whip adjoint suppléant du gouvernement
Fox, Gary	Prince Edward-Lennox-South Hastings / Prince Edward- Lennox-Hastings-Sud	PC	
Froese, Tom	St Catharines-Brock	PC	parliamentary assistant (colleges and universities) to the Minister of Education and Training / adjoint parlementaire (secteur collèges et universités) du ministre de l'Éducation et de la Formation
Galt, Doug	Northumberland	PC	parliamentary assistant to the Minister of the Environment / adjoint parlementaire du ministre de l'Environnement
Gerretsen, John	Kingston and The Islands / Kingston et Les Îles	L	chief opposition whip / whip en chef de l'opposition
Gilchrist, Steve	Scarborough East / -Est	PC	parliamentary assistant (Municipal affairs – urban) to the Minister of Municipal Affairs and Housing / adjoint parlementaire (Affaires municipales – secteur urbain) du ministre des Affaires municipales et du Logement
Grandmaître, Bernard	Ottawa East / -Est	L	
Gravelle, Michael	Port Arthur	L	
Grimmett, Bill	Muskoka-Georgian Bay / Muskoka-Baie-Georgienne	PC	parliamentary assistant to the Chair of the Management Board of Cabinet / adjoint parlementaire du président du Conseil de gestion
Guzzo, Garry J.	Ottawa-Rideau	PC	
Hampton, Howard	Rainy River	ND	Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Hardeman, Ernie	Oxford	PC	parliamentary assistant (Municipal affairs – rural) to the Minister of Municipal Affairs and Housing / adjoint parlementaire (Affaires municipales – secteur rural) du ministre des Affaires municipales et du Logement
Harnick, Hon / L'hon Charles	Willowdale	PC	Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Harris, Hon / L'hon Michael D.	Nipissing	PC	Premier and President of the Executive Council / premier ministre et président du Conseil exécutif
Hastings, John	Etobicoke-Rexdale	PC	parliamentary assistant to the Minister of Transportation / adjoint parlementaire du ministre des Transports
Hodgson, Hon / L'hon Chris	Victoria-Haliburton	PC	Chair of the Management Board of Cabinet, Minister of Northern Development and Mines, deputy government House leader / Président du Conseil de gestion, ministre du Développement du Nord et des Mines, vice- leader parlementaire du gouvernement
Hoy, Pat	Essex-Kent	L	
Hudak, Tim	Niagara South / -Sud	PC	parliamentary assistant to the Minister of Health / adjoint parlementaire de la ministre de la Santé
Jackson, Hon / L'hon Cameron	Burlington South / -Sud	PC	Minister without Portfolio (seniors Issues) / ministre sans portefeuille (affaires des personnes âgées)
Johns, Helen	Huron	PC	parliamentary assistant (Energy) to the Minister of Energy, Science and Technology / adjointe parlementaire (secteur Énergie) du ministre de l'Énergie, des Sciences et de la Technologie
Johnson, Bert	Perth	PC	First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Johnson, Hon / L'hon David	Don Mills	PC	Minister of Education and Training / ministre de l'Éducation et de la Formation
Johnson, Ron	Brantford	PC	

Member / Député(e)	Constituency / Circonscription	Party / Parti	Other responsibilities / Autres responsabilités
Jordan, W. Leo	Lanark-Renfrew	PC	parliamentary assistant (Tourism) to the Minister of Economic Development, Trade and Tourism / adjoint parlementaire (secteur Tourisme) du ministre du Développement économique, du Commerce et du Tourisme
Kells, Morley	Etobicoke-Lakeshore	PC	
Kennedy, Gerard	York South / -Sud	L	
Klees, Frank	York-Mackenzie	PC	parliamentary assistant to the Minister of Community and Social Services / adjoint parlementaire de la ministre des Services sociaux et communautaires
Kormos, Peter	Wellsand-Thorold	ND	
Kwinter, Monte	Wilson Heights	L	
Lalonde, Jean-Marc	Prescott and Russell / Prescott et Russell	L	
Lankin, Frances	Beaches-Woodbine	ND	chief New Democratic Party whip / whip en chef du Nouveau Parti démocratique
Laughren, Floyd	Nickel Belt	ND	
Leach, Hon / L'hon Al	St George-St David	PC	Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Leadston, Gary L.	Kitchener-Wilmot	PC	assistant deputy government whip / whip adjoint suppléant du gouvernement
Lessard, Wayne	Windsor-Riverside	ND	
Marchese, Rosario	Fort York	ND	
Marland, Hon / L'hon Margaret	Mississauga South / -Sud	PC	Minister without Portfolio (children's issues) / ministre sans portefeuille (enfance)
Martel, Shelley	Sudbury East / -Est	ND	
Martin, Tony	Sault Ste Marie	ND	deputy New Democratic Party whip / whip adjoint du Nouveau Parti démocratique
Martiniuk, Gerry	Cambridge	PC	parliamentary assistant to the Attorney General/ adjoint parlementaire du procureur général
Maves, Bart	Niagara Falls	PC	parliamentary assistant to the Minister of Labour / adjoint parlementaire du ministre du Travail
McGuinty, Dalton	Ottawa South / -Sud	L	Leader of the Opposition / chef de l'opposition
McLean, Allan K.	Simcoe East / -Est	PC	
McLeod, Lyn	Fort William	L	
Miclash, Frank	Kenora	L	deputy opposition whip / whip adjoint de l'opposition
Morin, Gilles E.	Carleton East / -Est	L	Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative
Munro, Julia	Durham-York	PC	
Murdoch, Bill	Grey-Owen Sound	PC	
Mushinski, Marilyn	Scarborough-Ellesmere	PC	parliamentary assistant to the Premier / adjointe parlementaire du premier ministre
Newman, Dan	Scarborough Centre / -Centre	PC	parliamentary assistant to the Minister of Health / adjoint parlementaire de la ministre de la Santé
North, Peter	Elgin	Ind	
O'Toole, John R.	Durham East / -Est	PC	
Ouellette, Jerry J.	Oshawa	PC	
Palladini, Hon / L'hon Al	York Centre / -Centre	PC	Minister of Economic Development, Trade and Tourism / ministre du Développement économique, du Commerce et du Tourisme
Parker, John L.	York East / -Est	PC	parliamentary assistant to the minister responsible for native affairs / adjoint parlementaire du ministre délégué aux Affaires autochtones
Patten, Richard	Ottawa Centre / -Centre	L	
Pettit, Trevor	Hamilton Mountain	PC	
Phillips, Gerry	Scarborough-Agincourt	L	
Pouliot, Gilles	Lake Nipigon / Lac-Nipigon	ND	
Preston, Peter L.	Brant-Haldimand	PC	
Pupatello, Sandra	Windsor-Sandwich	L	
Ramsay, David	Timiskaming	L	
Rollins, E.J. Douglas	Quinte	PC	

Member / Député(e)	Constituency / Circonscription	Party / Parti	Other responsibilities / Autres responsabilités
Ross, Lillian	Hamilton West / -Ouest	PC	parliamentary assistant to the Minister of Consumer and Commercial Relations / adjointe parlementaire du ministre de la Consommation et du Commerce
Runciman, Hon / L'hon Robert W.	Leeds-Grenville	PC	Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Ruprecht, Tony	Parkdale	L	
Sampson, Hon / L'hon Rob	Mississauga West / -Ouest	PC	Minister without Portfolio (Privatization) / ministre sans portefeuille (Privatisation)
Saunderson, William	Eglinton	PC	
Sergio, Mario	Yorkview	L	
Shea, Derwyn	High Park-Swansea	PC	parliamentary assistant to the Minister of Citizenship, Culture and Recreation / adjoint parlementaire de la ministre des Affaires civiques, de la Culture et des Loisirs
Sheehan, Frank	Lincoln	PC	
Silipo, Tony	Dovercourt	ND	deputy New Democratic Party leader / chef adjoint du Nouveau Parti démocratique
Skarica, Toni	Wentworth North / -Nord	PC	
Smith, Bruce	Middlesex	PC	parliamentary assistant to the Minister of Education and Training / adjoint parlementaire du ministre de l'Éducation et de la Formation
Snobelen, Hon / L'hon John	Mississauga North / -Nord	PC	Minister of Natural Resources / ministre des Richesses naturelles
Spina, Joseph	Brampton North / -Nord	PC	parliamentary assistant to the Minister of Northern Development and Mines / adjoint parlementaire du ministre du Développement du Nord et des Mines
Sterling, Hon / L'hon Norman W.	Carleton	PC	Minister of the Environment, government House leader / ministre de l'Environnement, leader parlementaire du gouvernement
Stewart, R. Gary	Peterborough	PC	assistant deputy government whip / whip adjoint suppléant du gouvernement
Stockwell, Hon / L'hon Chris	Etobicoke West / -Ouest	PC	Speaker / Président
Tascona, Joseph N.	Simcoe Centre / -Centre	PC	
Tilson, David	Dufferin-Peel	PC	
Tsubouchi, Hon / L'hon David H.	Markham	PC	Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce
Turnbull, Hon / L'hon David	York Mills	PC	Minister without portfolio, chief government whip / ministre sans portefeuille, whip en chef du gouvernement
Vankoughnet, Bill	Frontenac-Addington	PC	
Villeneuve, Hon / L'hon Noble	S-D-G & East Grenville / S-D-G et Grenville-Est	PC	Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales, ministre délégué aux Affaires francophones
Wettlaufer, Wayne	Kitchener	PC	
Wildman, Bud	Algoma	ND	New Democratic Party House leader / chef parlementaire du Nouveau Parti démocratique
Wilson, Hon / L'hon Jim	Simcoe West / -Ouest	PC	Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
Witmer, Hon / L'hon Elizabeth	Waterloo North / -Nord	PC	Minister of Health / ministre de la Santé
Wood, Bob	London South / -Sud	PC	parliamentary assistant to the Solicitor General / adjoint parlementaire du solliciteur général
Wood, Len	Cochrane North / -Nord	ND	
Young, Terence H.	Halton Centre / -Centre	PC	parliamentary assistant to the Minister of Finance / adjoint parlementaire du ministre des Finances

STANDING AND SELECT COMMITTEES OF THE LEGISLATIVE ASSEMBLY COMITÉS PERMANENTS ET SPÉCIAUX DE L'ASSEMBLÉE LÉGISLATIVE

Administration of justice / Administration de la justice

Chair / Président: Gerry Martiniuk
Vice-Chair / Vice-Président: E.J. Douglas Rollins
Dave Boushy, Bruce Crozier, Peter Kormos,
Gerry Martiniuk, Jerry J. Ouellette, David Ramsay,
E.J. Douglas Rollins, R. Gary Stewart, Bob Wood
Clerk / Greffier: Douglas Arnott

Estimates / Budgets des dépenses

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Ces listes figurent dans les premier et dernier numéros de chaque session et du premier lundi de chaque mois. Par contre, une liste des circonscriptions paraît si l'espace est disponible.

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of Ontario**

First Session, 36th Parliament

**Assemblée législative
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Première session, 36^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Monday 1 December 1997

Lundi 1^{er} décembre 1997

Speaker
Honourable Chris Stockwell

Président
L'honorable Chris Stockwell

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 1 December 1997

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 1^{er} décembre 1997

The House met at 1830.

ORDERS OF THE DAY

SERVICES IMPROVEMENT ACT, 1997

LOI DE 1997

SUR L'AMÉLIORATION DES SERVICES

Mr Carroll, on behalf of Mrs Ecker, moved third reading of the following bill:

Bill 152, An Act to improve Services, increase Efficiency and benefit Taxpayers by eliminating Duplication and reallocating Responsibilities between Provincial and Municipal Governments in various areas and to implement other aspects of the Government's "Who Does What" Agenda / Projet de loi 152, Loi visant à améliorer les services, à accroître l'efficacité et à procurer des avantages aux contribuables en éliminant le double emploi et en redistribuant les responsabilités entre le gouvernement provincial et les municipalités dans divers secteurs et visant à mettre en oeuvre d'autres aspects du programme «Qui fait quoi» du gouvernement.

The Acting Speaker (Mr Bert Johnson): The Chair recognizes the member for Chatham-Kent.

Mr Jack Carroll (Chatham-Kent): Mr Speaker, I'd like to inform you that I will be sharing my time with the member for Oxford and the member for Etobicoke-Rexdale.

Today, I am proud to move third reading of the Services Improvement Act. This bill is designed to provide better services at a lower cost to taxpayers.

This government was elected on a mandate for change. Government was too big, it was too inefficient, it cost too much. The roles of the provincial and municipal governments were often unclear. Taxpayers would get some services from local government, some from the Ontario government and some from both. It was clear that change was needed. The roles of the two levels of government had to be clearly defined in order to provide taxpayers with services that were logical, accountable and affordable. That's what this bill is all about. It's about the realignment of government roles and responsibilities in Ontario.

Last January, we announced many significant reforms to accomplish this. These reforms were designed to deliver better government services at a lower cost to the taxpayer. The package we announced had three fundamental goals. One was to reduce taxes by ending the spiralling cost of education. The second was to reduce taxes by reducing

duplication and realigning delivery of services between the provincial and municipal governments. The third goal was to bring tax fairness to the people of this great province regardless of the municipality in which they live.

When we announced our initiative to realign local government, some people expressed concern about the impact of two particular changes: the requirements that municipalities would share half the cost of social assistance and half the cost of long-term care. We listened to those concerns and responded by agreeing to cut residential education property taxes in half and to take on additional responsibility for education funding. This will take the pressure off property tax and give municipalities additional room to fund other services that are best delivered locally.

On August 6, we released preliminary figures that showed the estimated cost of this local government realignment. On October 6, we released further details on the numbers. In October and November, ministry staff met with officials from municipalities to review the financial information that had been provided and to answer questions.

Bill 152, the Services Improvement Act, is the next step in the implementation of local government realignment. If passed, this legislation will allow us to move forward with changes that will provide better services at a lower cost to the taxpayers. The services included in this legislation —

Mr Bud Wildman (Algoma): Mr Speaker, on a point of order: I'm just waiting to hear about these improved services, and I'm sure a lot of other members would like to. Could you check to see if there's a quorum?

The Acting Speaker: Is there a quorum?

Clerk Assistant (Ms Deborah Deller): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker: The Chair recognizes the member for Chatham-Kent.

Mr Carroll: The services included in this legislation are child care, social housing, public health, land ambulances, GO Transit and onsite septic systems. This legislation would give municipalities responsibility for program delivery and funding, in whole or in part, for a number of local services effective January 1, 1998.

We paid close attention to what people told the standing committee, both here at Queen's Park and then across the province. We have addressed these concerns through several amendments which we have since introduced to the bill. While many of these are technical in nature, I'd

like to draw attention to a few key amendments and re-emphasize the intention of the legislation.

Under the Services Improvement Act, we are proposing to amend the Day Nurseries Act to make it mandatory for municipalities to cost-share and manage delivery of child care services within provincial standards. We have done this for two reasons: First, because parents have told us that quality child care is a necessary support to getting and keeping those parents in the workplace, and second, municipalities told us that we needed to improve our child care system so that it could better meet local needs and priorities. Let me briefly outline these changes.

At present, child care is discretionary. Municipalities can choose to cost-share child care fee subsidies for low-income parents and manage the fee subsidy system. Some do and some don't. Many other municipalities also are direct providers of child care services. This legislation builds on this local experience. By making it mandatory for municipalities to cost-share and manage delivery of all child care services, not just fee subsidies, over time parents and children will have access to a wider range of services across the province and the system will be simpler, more effective and ultimately more accessible to families.

We believe that communities are in the best position to design a system that meets their needs and the needs of their families. Through these changes, child care will continue to be delivered locally. However, at the same time there must be province-wide standards. Provincial standards will protect the safety of children and the quality of child care services.

To assist municipalities in meeting these new responsibilities, the province has changed the regulation regarding how municipalities allocated their share of fee subsidy costs to give them more flexibility to include parent fees as part of their share of the costs. This was in direct response to municipal requests and will allow municipalities to maintain their service levels during the transition period and beyond. Municipalities now have more flexibility to offset their costs.

Under Bill 152, we propose to reduce the number of municipalities which will be delivering child care to encourage a more effective delivery system. Larger municipalities could manage child care services for small municipalities or they could combine their resources to deliver services more effectively.

1840

It is also proposed that the municipalities acting as delivery agents for child care would be the same for delivering Ontario Works, the government's mandatory workfare program. This will ensure streamlined and consistent delivery of social services.

By reducing the number of service deliverers, the people of Ontario will benefit from more efficient services, less duplication and waste, and consequently lower taxes.

The legislation we are proposing includes measures to improve and strengthen the system of social housing in Ontario. Social housing is one of the community services needed by low-income people that can be better provided

at the community level. It should also be integrated with welfare and other social services delivery at the local level to make the entire system work better and to provide better service to the people who need help.

Currently, the Canada Mortgage and Housing Corp and the province share many of the costs of social housing. This includes costs associated with the Ontario Housing Corp, non-profit and cooperative housing, and rent supplement programs. The total annual subsidy is just under \$1.45 billion, of which \$905 million is contributed by the provincial government and the remainder by the federal government.

This legislation is the first stage of a three-stage process. The first stage is the transfer of the estimated \$905-million provincial cost of social housing to municipalities effective January 1, 1998. Keep in mind that municipalities will be relieved of half of their current education costs so that they can afford these changes.

The second stage is to reform social housing programs based on the recommendations of the report of an advisory council. The report of the council gives us an excellent starting point. We are moving on the advisory council's recommendation that several working groups meet and deal with the precise details of social housing reform. Social housing stakeholders, including both municipalities and housing providers, will continue to be actively involved in the reform process through working groups and the subsequent social housing committee which will be announced shortly.

The third stage will involve a period of between two and three years when the administration of the social housing system will be gradually transferred to municipalities. We expect to complete the transfer of the administrative responsibilities of the improved system to municipalities by the year 2000.

I want to stress two things that this bill will not do. First, it will not have any impact whatsoever on the tenants of social housing, and secondly, it will not have any impact whatsoever on the current operating agreement between housing providers and the Ministry of Municipal Affairs and Housing.

Let's talk now about public health and land ambulances. The current funding system for public health is needlessly complex and inconsistent across the province. Our changes will simplify the way these services are funded. As of January 1, 1998, municipalities will assume 100% funding responsibility of public health programs. This legislation will provide direction on how municipalities will fund these programs and how they will share costs in multi-municipality health units.

Let me assure you that public health will not be jeopardized through this transfer. Our legislation requires municipalities to deliver mandatory programs in three key areas: chronic disease prevention, including heart disease, cancer, and prevention of injuries; infectious disease control, including AIDS and sexually transmitted diseases; and family health, including child health, nutrition, sexual and reproductive health, and tobacco use prevention.

Within the context of these three key areas, the provincial chief medical officer of health is currently leading a review of the mandatory public health programs, something that has not happened since 1988. Mandatory public health programs will continue to be delivered by local boards of health. The province will continue to set program standards for each program and will monitor and enforce those standards. Municipalities will have added flexibility in delivering mandatory public health programs as long as provincial standards are met.

Amendments for public health as a result of further consultation will also allow local boards of health more flexibility in consolidating administrative functions. The definition of a board of health changes to allow other bodies, such as county councils, to become boards of health. The Ministry of Health will review requests to ensure that county councils and other entities can perform all the functions of a board of health effectively before making a change in regulation.

Beginning January 1, 1998, municipalities will become fully responsible for funding land ambulance services. The province will retain responsibility for province-wide coordinated dispatch and for air ambulances. The province will also continue to license operators, set standards, and monitor ambulance service, vehicle, equipment and training standards. Funding land ambulances gives municipalities more flexibility to look at integrating their emergency services to better serve their communities.

Under the proposed legislation, the province will be providing the existing land ambulance operators and municipalities with a two-year transition period until January 1, 2000. This period is intended to facilitate the implementation of the Services Improvement Act without disruption to service delivery. During the transition period, amendments to the legislation will make it possible for upper-tier municipalities to choose to take over the responsibility for contracting with and funding directly existing land ambulance services; that is, if they are ready to do so and have ministry approval.

The Ministry of Health will continue to work with municipalities to ensure that land ambulance services and public health programs are accessible and consistent for all Ontarians.

Under our local government realignment initiative, we recognize that GO Transit service primarily meets local and regional transit needs. It is recommended that this responsibility should be transferred to the municipalities served by GO Transit. The benefit will be that GO Transit will be more accountable to local communities. The delivery of GO Transit at the municipal level will also encourage greater integration of local transit services across the greater Toronto area. This legislation proposes to amend the Toronto Area Transit Authority Act to enable municipal funding of GO Transit for the interim period until a permanent municipal governance mechanism is in place.

Currently, taxpayers from every region of Ontario subsidize GO Transit's operating and capital deficit by approximately \$100 million a year. The proposed legislation would create a mechanism for these costs to be shared by

the regions that benefit from GO: the regions of Peel, York, Durham, Halton, Hamilton-Wentworth, and the city of Toronto.

My colleague the Minister of Transportation and senior ministry staff have consulted with affected municipalities to discuss options for a cost-sharing formula. We intend that this be a simple, equitable method of cost-sharing to allow GO Transit to meet its capital and operating requirements. Regional chairs who sit on the board of directors will continue to have a say in the operation of GO Transit during the interim period.

1850

This legislation proposes that provisions of the Environmental Protection Act regulating smaller onsite sewage systems be transferred from the Ministry of Environment to the building code, which is administered by the Ministry of Municipal Affairs and Housing. Municipalities would be responsible for the approval and inspection of smaller onsite systems. This would streamline service through a one-window approach to homeowners and builders. The building industry and the public would only have to deal with one permit, one code, one appeals process and one ministry for small on-lot septic systems. This would reduce red tape and the regulatory burden on business. Large-scale septic systems, communal systems and hauled sewage systems would remain a provincial responsibility.

Because of the ongoing discussions regarding northern service delivery, the responsibility for enforcing standards for onsite sewage systems in northern municipalities and unorganized areas would generally remain with existing delivery agents. In addition, the rules governing septic systems will be strengthened to protect public health and the environment.

On January 1, 1998, municipalities will assume responsibility for the cost of these programs. The province will continue to deliver some of these programs on an interim basis until an appropriate, planned transfer can occur. The recently approved supplementary estimates will guarantee the cash flow that will be needed to protect the continuity of service of these programs. This will ensure that the transfer of responsibility proceeds smoothly for taxpayers who are receiving the services.

The government will continue to work with the municipal sector, through the provincial-municipal implementation team and the social and community health services implementation team and others, to ensure a smooth transition to the new provincial and municipal responsibilities.

Mr Speaker, we have been firm in our commitment to untangle the system, improve services and make things work better for the people of Ontario. We are confident that these changes will lead to better services and more efficient and accountable government.

Mr Ernie Hardeman (Oxford): I am pleased today to participate in the third reading debate on Bill 152, the Services Improvement Act. Bill 152 is an important piece of legislation, as it allows the government to move forward with changes that will provide for better services to the taxpayers at lower cost.

As part of the Who Does What process, the services outlined in the proposed legislation will be delivered by municipal government, the level of government that is closest to the people and the government that is most knowledgeable about the needs of the area.

The changes we are making through this bill will improve customer service, as those wanting to access programs will no longer have to guess which government office can help them —

Mr Wildman: They'll know the municipality can't.

The Acting Speaker: Member for Algoma, come to order.

Mr Hardeman: — or travel to two or three different offices before receiving help. It will be provided in their community by their local government. Ultimately, Bill 152 will ensure that the people of this province are getting the services they need in a more efficient and direct manner.

There is another very important aspect of the Services Improvement Act. It will also create a fairer system where everyone pays their fair share for the services they receive. This is an issue that has been discussed for a number of years. We presently have a very inequitable system where some people pay for services through their municipal taxes that others are receiving for free. We need to end this inequity and institute a process for fairness across this province.

I would like to take a moment to discuss the process leading up to the introduction of Bill 152. As you are aware, the initiatives to realign services between municipal and provincial levels of government and to create a better system were started more than a year ago. Through extensive consultations with the municipal sector, the government moved forward with a plan of trying to redefine the relationship between provincial and municipal levels of government.

It was the Who Does What process, led by a group of municipal representatives who provided the government advice on creating a better system, that started the process that we are discussing here today. The government had several goals which we intended to achieve through the Who Does What process: to reduce the spiralling cost of education, reduce taxes by disentangling the duplication in delivery of services between the municipal and provincial levels of government, and bring fairness to the people of this province.

After the initial consultation with the municipal sector, the government reviewed the advice and announced its plans to realign services. At the same time, we announced that we were open to suggestions from individuals or groups who had better ideas on how to achieve our goals.

AMO came forward with its view of a better package on Who Does What transfers which they believed was in the best interests of their membership and which still met the government's objectives. I am pleased to say the government accepted almost all of AMO's suggestions. The changes in the new package announced in May include the province assuming half the cost of education paid by the residential property taxes, the province continuing to fund social assistance at 80% of the costs, with the municipali-

ties contributing 20%, and the province maintaining the full cost of long-term care.

These Who Does What trades do more than just sort out which level of government is responsible for which service. They will facilitate restructuring in many areas across the province, allow for less government, aid in the elimination of duplication of services, and help in facilitating change within the municipal sector. In return, municipal governments will be responsible for the cost of local ferries, land ambulance, police, public health programs, septic system inspections and social housing.

I would like to point out that in some cases, like public health, the municipalities are already providing and delivering the services, and part of the costs are being paid for by the province. It makes sense that the government delivering the service also has the responsibility and the accountability in paying for it. Not only will Bill 152 give municipalities more responsibility for these services, but also the tools they need to work more effectively and efficiently with their new role, and most of all, to be more responsive to the needs of the taxpayer.

The transfer of social housing is an excellent example of a service which can be improved and made more efficient through management by the municipalities. Social housing is one of the community services needed by low-income people that can better delivered at the community level. This legislation includes proposals which will improve and in fact strengthen the system of social housing in Ontario. Social housing, as we all know, is the rental housing that is financially assisted by the government and made available primarily to low-income families and seniors, with rent geared to income. There are also some tenants in social housing who do not receive any direct financial assistance.

We are reforming the social housing programs to make them easier to administer and better meet the needs of lower-income families before the responsibilities will be turned over to municipalities.

The transfer of social housing will be a three-stage process. First, we will allow the province to bill municipalities for the cost of social housing. The next step, which is presently ongoing, is to reform the social housing system in consultation with municipalities and stakeholders. The last step, which will occur within a two- or three-year period, will be the transfer of social housing administration to the municipalities.

Transferring this responsibility makes sense. Local communities and municipal councils know the needs of their constituents. They will be much closer to those who need this service and they will be able to gauge better how to deliver that service in a cost-effective and efficient manner.

With the province taking over half the cost of education starting on January 1, municipalities will have the financial ability to pick up the cost of social housing.

1900

In this new tax room we will also allow the local level of government to pick up the cost of land ambulance services. Currently, there are myriad providers for ambu-

lance services across the province, with 10 run by the province, 64 operated by hospitals, 16 by municipalities, 13 by volunteer providers and 69 privately run operations.

Municipalities will start covering the costs associated with land ambulances starting January 1, 1998, and will have the opportunity to take over the administration of the service by the year 2000. To ensure a smooth transfer, the bill provides for a two-year transition period. This two-year transition will help ensure that there is no service delivery interruption. To ensure that all people in Ontario can continue to receive accessible and acceptable levels of service, the Ministry of Health will continue to be responsible for licensing of ambulances in the province. The ministry will also continue to set, monitor and enforce standards of operation and response times.

Allowing the municipalities the opportunity to take over this service gives them the flexibility to integrate it with other emergency services or make arrangements with neighbouring communities to provide quality service at the best price. At the same time, having provincial standards will ensure that we can expect to have similar services across the province, all people having a right to expect a standard of service regardless of where they live or work.

Provincial standards will also play a role in the delivery of public health programs by municipalities. These programs are presently delivered by municipally run boards of health across the province. What Bill 152 proposes is to make the level of government responsible for providing services also responsible for paying for what they are providing. They are presently funded at a rate of 75% by provincial government, except those in Metro Toronto, which are funded 40% by the province and 60% by municipalities.

In January, all programs will be funded 100% by municipal government. Through this change municipalities will have the flexibility to tailor public health programs to meet the needs in their communities while still having to meet provincial standards.

This bill provides direction on how municipalities will fund programs and share the cost in multi-municipal health units. Municipalities will also have to provide mandatory programs such as chronic disease prevention, infectious disease control and family health. This change makes sense, as it makes the provider of the service more accountable to the taxpayer and the consumer of the service.

The same holds true for the management and delivery of child care services. Across the province many municipalities are presently involved with the government in providing this service. In fact, the municipalities are already responsible for the delivery and management of child care spaces within their areas. Making this program mandatory ensures that all municipalities are involved in providing spaces in their communities.

Children are a priority for this government and we are committed to child care in this province. This legislation will improve services to families in their local communities, while at the same time it clarifies the roles and responsibilities of municipal government.

In the past, municipalities have cost-shared child care spaces with the provincial government, but the program was an optional program and in some cases municipalities chose not to be involved in the responsibility of child care in their area. This change again makes sense for the municipality and the community and the users of the service.

How people travel via public transit in their communities also is affected by this legislation, as Bill 152 provides a mechanism for municipal cost-sharing of GO Transit in those areas serviced by GO. This is a change that should have been made long ago, as GO Transit meets mainly local and regional needs of commuters travelling throughout the GTA, Toronto and Hamilton-Wentworth areas. This certainly isn't a service used by the people outside the greater Toronto area on a regular basis, yet is subsidized by all the taxpayers in the province. Local transit should be paid by those who receive services. With the transfer of responsibility, GO Transit will be more accountable to its users and to the local communities it serves.

As I said earlier, this is an important piece of legislation. It is important for the province, the municipalities and, most of all, the people of this province, as it will help ensure efficient and accessible services. This legislation is not about providing more services but providing more equitable and economical services on behalf of the one taxpayer of this province.

Mr John Hastings (Etobicoke-Rexdale): It's interesting to listen to the member for Chatham-Kent and the member for Oxford because those two gentlemen are responsible for a great deal of the hard work involved in the Who Does What exercise, in trying to bring some greater effectiveness — I guess the word I'm searching for is a greater focus on what level of government ought to and should provide the essential services that affect most of the citizens, if not every citizen, in the province of Ontario.

That's why I would briefly like to focus on the name, the Services Improvement Act. We have been pilloried by members of the opposition parties, saying that this particular piece of legislation should not even have been presented, that we should have continued with the conventional wisdom, the conventional status quo and everything would work out okay. What would happen is that you would end up just shovelling out more money and the blurred lines of responsibility would continue for all taxpayers in Ontario.

The foundation or the building blocks of the Services Improvement Act deal with the whole focus, the whole *raison d'être* of what levels of services and what types of services ought best to be delivered at the local government level. If you look at a number of examples found in the Services Improvement Act, it deals with that essential philosophy.

If you take, for example, land ambulance, to some extent local governments have been involved for years in land ambulance, particularly the administration of land ambulance. If you associate emergency powers in the overall context of not only land ambulance but fire

protection, you will see when you look at an accident — unfortunately, we have too many in this province — we have both emergency services going for their particular purposes.

The services improvement bill affords municipalities and upper-tier governments an opportunity to look at a more focused, integrated, combined and I would think more effective use of the fire service protection on the one hand and land ambulance on the other.

A lot of people who are not in the know and taxpayers in general would pose this question: "Is it absolutely necessary in a minor traffic accident that you must have both the fire service protection and the land ambulance go to the scene of an accident?" When I say "minor," it's probably where there is not a fatality or threat to life and limb in that particular accident. We're talking about minor property, where fire has to go in case of emergency from a fire starting in a vehicle affected by that accident. Ambulance has to be there to provide assistance to the folks involved. In serious accidents, naturally you need both services. But as the member for Oxford pointed out, and I think he's quite right, combining emergency protective services is to get greater value out of both and to allow local government, management and politicians at the local government level, to come up with an effective plan that allows you to use your resources in the most effective and focused way.

In terms of the Services Improvement Act, just in the transfer, the realignment of this responsibility, I think it's going to be proven correct in the next year or so that you will get better value out of that coordinated service.

The members opposite would say no, there's not the remotest prospect that would occur, because you have to keep everything the way it is, or if you combine them, as is proposed under this particular act —

Mr John Gerretsen (Kingston and The Islands): Nobody's saying that.

Mr Hastings: They are. The general mantra from across the way is that realigning these responsibilities, what they call downloading, will inevitably lead to a tax increase, like there's no other choice in the matter; that local government politicians, councillors, reeves, mayors of the new amalgamated municipal entities throughout the province can't come up with better ways than people at the provincial government level of dealing with this issue.

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We have heard, going back to last September, that by introducing this act, the Harris government risks the whole rationale of effective services as they're already provided. I could quote song and dance from I think the member from Nipigon, who quoted a whole set of northern municipalities saying they would end up with tax increases. That certainly reflects, from members of the third party at least, that by making any of these changes you're inevitably going to end up with tax increases, all the while forgetting that there is the community reinvestment fund and another fund available for municipalities who really have an extraordinary set of circumstances where they can't meet those particular costs. That's what those funds are for.

Basically, members of the official opposition party were remarking that if you make any of these changes, you're going to end up with tax increases or you'll have to reduce services or a combination of both, like there's no other way of dealing with the whole issue of change.

That leads me to a second priority of the Services Improvement Act. We have heard from numerous deputants and from members of the opposition parties that social housing or affordable housing belongs at the provincial government level. They fail to look at the origins, the original sources of how local social housing evolved. Granted through some financing from the federal government after the Second World War, wartime housing was essentially a focused response by local leadership in the communities which had provided many of the veterans to fight in the three major conflicts in this century that Canada has been involved in. It seems to me that members of both parties and even those deputants failed to acknowledge that social housing did have its start locally. So there is every justifying philosophical and practical reason for turning social or affordable housing back to the municipalities.

Why would you want to do that? The member for Fort York in his particular approach to social housing has said: "Where are you going to find the money? It's just impossible to find any money in the operating budgets of any the local housing authorities." All you have to do is take a look at the budget of the Metro Toronto Housing Authority over many years to see that there are enormous opportunities for making cost adjustments in the way MTHA operates.

For example, the two previous governments in the last 10 years failed to deal effectively with the whole capital cost item of social housing within Metropolitan Toronto, let alone across the province. You can go to place after place after place in the larger social housing projects of Metropolitan Toronto and find gaping needs that have never been addressed in terms of capital budgets. Why? Because look at where all the money was going at that time: to expand the stock of public housing or the newer form of non-profit housing. Look at the costs for that expansion that could have gone into upgrades of a capital nature in existing public housing stock.

For the record — the member for Scarborough East pointed this out most effectively last September; it has been documented in numerous cases, but he took an average — it costs \$200 per square foot. Imagine, \$200 for every square foot of new non-profit housing put through these non-profit housing associations, whereas the capital cost for that type of housing built by the private sector was about \$100. What explains the \$100 differential? Why should there be such a large difference? I'm sure there are many variables that could be brought forward to explain it to the taxpayer, but suffice it to say that if you build millions of square feet of new non-profit housing and you're using as your benchmark cost the higher one of \$200 per square foot, you end up with an enormous cost, in the billions.

For starters, if members of the opposition parties, particularly the member for Fort York, had their druthers again, I'm sure they wouldn't want to have used that higher cost. If they had taken even a moderate medium cost of \$150, which I still find excessive, you would have that forgone economic opportunity to use that money to upgrade hundreds of projects in Metropolitan Toronto, let alone the province. But what happened? If you look at the record of capital expenditures on social housing across this province, you will find a gaping need for probably billions of dollars — billions.

Why didn't they deal with it when they were here? They certainly didn't deal with it on a very cost-effective, coordinated basis, because this government is putting about \$215 million into capital upgrades of existing public housing stock. Example: In my riding, in one particular public housing project that has been around for 30 years, one of the underground garages has not been open for at least eight years. That means the tenants in that particular project do not have the opportunity to park their vehicles in a safe, underground garage because your government and the previous regime failed to deal with that specific example and countless hundreds of others.

There is in these examples in terms of the social housing not just the cost of capital upgrades, but, in terms of the tenancy of existing tenants in MTHA housing — if you go back and look at the record of many families still residing in Metropolitan Toronto housing units, you have families that had maybe four to five kids 20 to 25 years ago. They had four-bedroom units. The children grew up, became teenagers, went to school, moved out on their own. Yet I'm sure if you go to MTHA housing and other local housing authorities throughout this province, you will find that the same family that started living there in, say, 1970 or 1975 — in 1997 those folks are still living in a four-bedroom unit when their children have all left and maybe one has come back.

So you now have in a lot of four-bedroom and three-bedroom units in urban housing people who are overhoused, yet you also have the dilemma of thousands of newcomers to Ontario who need adequate housing but aren't able to access that particular housing because the family who has been there since 1975 has chosen to remain for the rest of their lives. You have a tenancy block in place.

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Mr Rosario Marchese (Fort York): Is that the problem?

Mr Hastings: That's part of the problem. There are many, many other problems that —

Mr Gerretsen: Why aren't you doing anything about it?

Mr Hastings: We're doing an awful lot about it. If the member for Kingston and The Islands had read the bill, if he had looked at the announcement of the minister, we're putting moneys into upgrades.

What did the Liberal government do when they were here from 1985 to 1990? I'm sure they didn't put a lot of money into capital upgrades. If they had, we wouldn't

have the gaping need that exists today. In other words, we have an accumulation of neglect. You have some examples of where there was money put into upgrades, but on an overall coordinated basis, not so.

Turning again to the whole Services Improvement Act, if you look at the management of social housing in Metropolitan Toronto and across the province, the local municipalities are now going to have an opportunity, and I believe they will exercise that opportunity most effectively, to deal with the problems of housing.

Mr Marchese: Finally, the municipalities are going take charge and fix the problem.

Mr Hastings: They certainly won't just be passive about it, as was the previous regime, which spent billions of dollars in expansion of social housing yet didn't resolve the problem we still have in Metropolitan Toronto and across Ontario within increased waiting lists. That's a fundamental issue which they failed to deal with.

I would also like to mention that the member for Huron wanted me to make some remarks about the importance of Bill 152, the Services Improvement Act, regarding land ambulances. What she has pointed out, and I think it has not been noted for the record, is, what benefits will the realignment of responsibility for land ambulance have for the whole health care system in this province?

Mr Marchese: Tell us about it.

Mr Hastings: If the member had any real imagination, I'm sure he would be able to look at certain benefits, such as the following: We believe we'll move to a high-performance emergency medical system, as I spoke to you about earlier, the necessity for a coordinated, focused approach to some of these services. We will achieve greater clinical sophistication in terms of —

Interjections.

Mr Hastings: Yes, whoa, because we know where the members opposite stand in terms of this whole bill, which is essentially: "Do nothing. Everything's fine." In fact, the member for Fort York, as I'll allude to later, had another name for this bill, very amusing but not very constructive.

A third fundamental benefit will bring about guaranteed response times determined between the provider and the municipalities.

Mr Marchese: How do you know? Have you tested it out?

Mr Hastings: Have we tested it out? In point of fact, we already have good practices in place that the municipalities will utilize with the existing land ambulance system. It's not as if we're going from a completely existing system down to a system which is disappearing; the reverse, in fact.

Finally, as I alluded to earlier, we will get hopefully better cooperation and coordination between fire and police, and we will allow for value added services by providers in assisting in home care and immunization.

In other words, this bill speaks to a proactive approach by the municipalities, by the municipal councillors and by the management/leadership in those municipalities, who see tremendous opportunities arising out of this piece of legislation.

Finally, let me point out that the member for Fort York, when we were having the hearings, brought up an alternative name for this bill: the "Local Government Destruction Act." I thought back on that and I wondered if what he was really alluding to is the status quo, the "Existing Distribution of Powers Act" or "Keep Everything the Way It Is Act." That's where our member for Fort York was in looking at the whole issue of realignment of responsibilities.

Mr Len Wood (Cochrane North): It's called "Destroy the Municipalities Act."

Mr Hastings: You see, there we go again. The great washed and the great uninformed say it's going to destroy municipalities. If you take that to its logical stretch, there won't be any money anywhere from any source for a local government to finance any service. See how absurd the implication is when you stretch it to its ultimate absurdity.

This bill looks at the existing realities in Ontario of service distribution, of the ability of local governments to come to grips with many of these challenges. Many councillors and many municipalities that have been members of the Association of Municipalities of Ontario have asked over the years to be able to manage some of these things more effectively. They asked for them in single responses, in some instances land ambulance; other municipalities or upper-tier municipalities wanted to deal with social housing.

But we know that the member for Kingston and The Islands, like the member for Fort York, says, "Let's have hardly any change, or let's not get into the specifics of the change," because that would lead to some disturbing thinking. That would lead to trying to be imaginative and innovative. "No, no, we prefer to keep everything the way it is and hike taxes even further." You can see that through Bill 160. It goes on and on.

I simply want to add for the record on the whole concept of change as laid out by the great thinker, Marcus Aurelius:

"Change is the universal nature out of the universal substance, as if it were wax, now moulds a horse, and when it has broken this up it uses the material for a tree, then for a man, then for something else. Nature, which governs the whole, will soon change all things which you see, and out of this substance will make other things and again other things in order that the world may be ever new. The nature of the universe loves nothing so much as to change the things that are and to make new things like them, for everything exists in a manner the seed of that which will be."

Mr Len Wood: Who wrote that?

Mr Hastings: For the member for Cochrane North, I think Marcus Aurelius probably could be a constituent up there if it weren't so cold.

Let me conclude. The Services Improvement Act lays out a whole set of opportunities. It will be interesting to hear the conventional mantra from all the folks across the way that this is downloading: "There aren't any alternatives; withdraw the bill," and on and on. I'd like to see

them make some really solid alternatives instead of the usual approach they take to bills.

Mr Len Wood: Stop the tax break.

Mr Hastings: The tax break is probably one of the best things this government has done, contrary to the 65 tax increases we've had across the way. Their idea would be, the higher the taxes, the better off we'd be, and we'd have no economic agenda of growth. That's what fuels making these changes affordable and effective.

M. John R. Baird (Nepean): Comme toujours, c'est un plaisir pour moi de parler du projet de loi 152. Allô à mon ami, M. Marchese.

A good quote I could put on the record to start off this process would be a quote that the Premier made. The Premier said, "I think it's important for us to get on with the job of making it clear to citizens who is paying, who is responsible for raising the money, whatever services are being provided."

Mr Garry J. Guzzo (Ottawa-Rideau): The Premier said that?

Mr Baird: The Premier said that. And that wasn't Premier Harris, that was Premier Bob Rae, back in February 1991.

Mr Guzzo: Bay Street Bob. Wow.

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Mr Baird: The member for Ottawa-Rideau says "Bay Street Bob." Yes. Le meilleur. The Bay Street lawyer now. Bob Rae said that.

Look to what our other colleagues said. The Minister of Municipal Affairs said in the Globe and Mail: "You can't really have accountability if you have two and sometimes three levels of government doing the same stuff. The main purpose is to sort out the roles." Was it notre collègue, M. Leach, qui sait ça? No, it was Mr Dave Cooke who said that in the Globe and Mail on July 24, 1992.

This bill is about ensuring that taxpayers get the best level of government to provide the relevant service. It's extremely important.

Imagine if you had a grocery cart and someone were to say to you, "Whatever you put in that cart we will give you 80 cents on the dollar for." I suspect you would have a very different grocery cart than if the person were paying 100 cents on the dollar themselves. There wouldn't be too many yellow boxes in that 80-20 grocery cart.

The Minister of Community and Social Services said, "The result of disentanglement will be increased accountability, which is more important than ever in today's economic climate." Was it the member for Durham West who said that? No. It was our good friend the Minister of Community and Social Services in August 1992, the member for London Centre, and I agree with that. She was correct when she said that. That is very important.

I have some other interesting things to put on the record in this very, very important debate.

Mr Guzzo: What did the transportation minister have to say? Did he say anything in those days?

Mr Baird: One of his colleagues, the former Minister of Transportation — not this former minister but another former Minister of Transportation — as Minister of

Municipal Affairs said: "Right now, responsibility is blurred and this overlap leads to inefficiency. Clearer lines of responsibility and more efficient government should ultimately save money." April 26, 1993. But of course they never followed through.

This government has had the courage to proceed with disentanglement, to save the taxpayers of Ontario money, to ensure that we can spend every taxpayer's dollar wisely and well. That must be and continue to be an important priority of all of our work here.

The Acting Speaker: Comments and questions?

Mr Rick Bartolucci (Sudbury): It's always interesting to listen to the member for Etobicoke-Rexdale, a former university professor, I think. Certainly I'm glad that he referred to Marcus Aurelius. When you consider that his Premier refers to Mr Silly, it's certainly a step up.

But you know what? This government always says they listen to people. They listened to people with regard to the land ambulance, they listened to people regarding social housing, they listened to people with regard to Bill 160. They listen but they don't hear, because if they heard, they wouldn't be making the type of reform that isn't in the best interests of the people of Ontario. They wouldn't be making the type of reform that is going to provide hardship to individuals.

We can leave Bill 152 for a second and go to 160 again and speak about the new report card that this government instituted. The new report card is probably one of the worst pieces of reporting that's ever going to take place in education. It's cumbersome, it's meaningless and it provides for the teachers to have to spend an unbelievably countless amount of hours putting down comments. I heard a comment that said, "At the end of the report card, I'm supposed to know my student better than I know my own child." It fails.

That's what happened with 152. You didn't listen to the mayors and the reeves; you just went ahead and did your own thing. And you know what? You found out that what we were saying on the opposition side, what the mayors and the reeves were saying was right, that the downloading initiative the way you people divined it and defined it was going to lead to disaster. Your policies lead to disaster for the people of Ontario and it isn't changing. That's sad.

Mr Gilles Pouliot (Lake Nipigon): There were several distinguished members opposite who certainly deserve some acknowledgement. They are consistent. They read from the same message, prepared no doubt in the Premier's office by those "little people," as the Globe and Mail described them. After you hear one of them for about two to three minutes on this very important piece of legislation, you've heard them all. It's a sort of competitive sameness, where they just turn the page. They're never on their own, they're never imaginative, they don't have a fresh idea.

But what never changes, on the eve of the downloading exercise, on the eve of implementation, because nobody knows what the impact will be, one thing is clear when you listen to the reeves, to the mayors from over 800

municipalities across this great land, across this great province: This will be costly. This is an exercise in dumping. No more responsibility. They're passing their responsibilities to the small units, yet they're not including the payola, the cheque to pay for those services.

The trick here is a billion dollars. That's the difference between provincial responsibility and the new role of municipalities. You ask any one of them and they still don't know how much it will cost. They still don't know where it will end, yet they're responsible for paying for those services because Mike Harris and the members of the brigade, the commissars, have decreed that \$5.4 billion shall be directed into the pockets of those who have the most. It's as simple as that.

Talk to me about economics, and it's all borrowed money.

Mr Frank Klees (York-Mackenzie): I'm pleased to confirm to the member for Lake Nipigon that Mike Harris and the government members are following through on a commitment that we made to the people of this province to reduce duplication, to make government more efficient. This bill is a major step in that direction.

The fact of the matter is that municipal politicians for years have been asking for the province to hand over some responsibility to them that prior to Bill 152 they haven't had. But along with responsibility comes obligation, and we have an obligation in this province now, as various levels of government, to work together to make it happen, as Mayor Mel Lastman said in his campaign.

This is not about passing the buck any more. What this bill in fact does is that it will force the various levels of government in this province to work together and once and for all recognize that there is only one taxpayer. Regardless of what we do with a tax bill, how we represent it, at the end of the day I believe that taxpayers want government to ensure that the services that are delivered are being delivered in the most efficient way. They are not going to buy the fact that they're unable to do it or that they have had to offload on to a tax bill a notice that they were incapable of doing the job. Let me tell you that I believe at the end of the day municipal politicians across the province will realize that we are in partnership together on behalf of the taxpayers of this province, and all of the politicking that members opposite are doing is not going to do them any good.

Mr Michael Gravelle (Port Arthur): It's phenomenal listening to the government members of the back bench there talking about this legislation really as if it is actually a partnership that has been going on. The fact is, about a year ago they basically decided what the process was going to be. They realized at some point fairly early on they had made a huge mistake. They pretended to have some form of consultation with municipalities. It is just a joke, and the municipalities themselves have absolutely lost all trust in them.

I was fortunate recently to attend a meeting of the Thunder Bay District Municipal League. In northern Ontario they're setting up a new unit called area service boards. Again, they believe they're doing this in consulta-

tion with the various reeves and mayors of the municipalities and they have been talking as if they're going to give them a chance to have input into the process when in fact once again they're being told how it's going to work. In essence, another upper tier of government is going to be formed in northern Ontario in various large areas.

The fact is that the mayors and reeves — Reeve Ron Nelson, reeve of O'Connor and president of the Thunder Bay District Municipal League, was there — have absolutely lost faith in this government. Because they recognize that they simply have to survive, they're trying to work with the government, but they're not getting the information they need. They're not being allowed to look at the draft legislation that's coming forward. Apparently there will be legislation. My colleague from Sudbury, of course, will be speaking on that piece of legislation. They will not let the mayors and reeves have a look at it.

I advised them at the time, and what I said was: "If you really want to have a chance of this working, in that you're forcing it on the municipalities, why don't you let them take a look at the draft legislation? They'll tell you whether it's going to work." But they won't do that. They're saying, "Oh, no, we can't allow that to happen." The fact is this only adds to the continued mistrust that the reeves and the mayors in the northern communities and in communities all across the province feel about this government. I don't know who you're trying to kid, because you certainly aren't kidding them. The fact is they no longer trust you. You sweetened the pot because you had to. It will be a one-year wonder and then it will be trouble again.

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The Acting Speaker: The member for Chatham-Kent has two minutes to respond.

Mr Carroll: I appreciate the comments from the member for Sudbury, Lake Nipigon, my colleague from York-Mackenzie and the member for Port Arthur.

It's always interesting to hear the member for Lake Nipigon. He talked about competitive sameness. I'm not sure exactly what it means, but it's certainly interesting terminology. Then he brings up the \$1 billion. Every issue that we get involved with, the third party talks about \$1 billion: education, \$1 billion; health care, \$1 billion; municipal restructuring, \$1 billion. Pretty soon they will have us reducing funding in ministries where we don't even spend \$1 billion. It's just a nice, round number that the member for Lake Nipigon tends to — it may have something to do with the assets of the northern part of the province that he represents where you can see the curvature of the earth, as he tells us, at various times.

The member for Sudbury talks about reform not being in the best interests of the taxpayers. Then he talks about our policies leading to disaster for the people of Ontario. I'd like to talk a little bit about disaster. Disaster is the Ontario that we inherited in 1995, an Ontario that had accumulated \$100 billion worth of debt, that was spending \$1.2 million an hour more than it was taking in, that had seen taxes raised by these two parties across the way 65 times in the past 10 years so that one out of every eight

people in arguably the richest part of the world was trapped in a welfare system. That is disaster. That is what the Liberals and the third party continue to argue for, the status quo: "Don't make any changes." They argue for the status quo. The status quo is no longer good enough.

The Acting Speaker: Further debate. The Chair recognizes the member for Kingston and The Islands.

Mr Gerretsen: Mr Speaker, I'll be sharing my time with the member for Oakwood, the member for Yorkview and the member for York South.

The first thing I'd like to address is the fact that of course the people of Ontario should realize that this bill is very closely related to Bill 160, which was passed in infamy here this afternoon. They both have roughly the same effect. Remember, Bill 160 is going to take another \$700 million out of the education system, according to the Premier's own words a week or two ago, and what is this bill going to do? It's going to take about \$700 million of extra costs that it's going to place on the local taxpayer. I think the people of Ontario have to understand that there is a very close relationship in both these bills. They are both taking more money out of the system as far as the provincial finances are concerned. That's point number one.

Myth number two is that AMO somehow came forward with these recommendations. Let's just set the record straight. The initial plan that the province brought forward would have transferred more than \$1 billion in extra costs to those municipalities. Let's just review once again the kind of offloading that was going to take place and the kind of property tax increases that were going to take place in just some of the municipalities. In my own city of Kingston, it was going to increase the municipal tax load by \$28 million; Brantford by \$32 million; the city of London by \$57 million; Thunder Bay by \$15 million; the region of Sudbury by \$105 million; the region of Ottawa-Carleton by \$120 million to \$160 million. Those are just some examples as to how the costs were going to increase when the original downloading proposal was brought down by the province to the local municipalities.

AMO then said, "Let us take a look at it, Premier," and they took a look at it. They came up with a proposal that would at least cut that downloading by about half, to about \$600 million. It's kind of like of saying, "Do you like to be kicked in the head?" and the person coming back and saying, "No, I prefer to be kicked in the shins." That was the AMO position. They would prefer not to be kicked in the head, and if they had a choice at all, they'd rather be kicked in the shins. To somehow take from that the notion that AMO, the Association of Municipalities of Ontario, which speaks on behalf of all the municipalities in this province and is an organization which I had the privilege of heading some 10 years ago, somehow came back with this proposal and said to the province, "Please do this to us," is absolutely absurd and nonsensical.

Yes, there are some services that are much better served at the local level, no question about it. I think the local level performs and gives the best quality of service in many different areas, but certainly not in the areas of health care and social services.

Let's just hear what the government's own commission had to say about this, the Who Does What panel headed up by former mayor David Crombie. As a matter of fact, the Who Does What panel is even referred to in the title of this bill. Remember what he said about the offloading of social services and health care costs on to the local municipalities. I'll tell you what he said: "The panel" — in other words, the entire Who Does What panel — "strongly opposes such a move. We are unanimous in the view that if there is a choice between placing education or health and welfare on the property tax" — including housing — "it's clearly preferable to continue to rely on the property tax for the funding of education."

He also said it is the worst principle and devastating in practice to in effect transfer social responsibilities to the municipalities, so he was not in favour. The government's own commission was directly opposed to any kind of downloading.

Let's go back. Let's go one step further. What did the chair of the Health Services Restructuring Commission, on which the government so heavily relies, have to say about that? Duncan Sinclair, on January 12 of this past year, when he was asked what he thinks of municipalities taking over the responsibility of public health, said, "That's just stupid. It" — shifting the long-term health costs on to municipalities — "would mess up the overall task that we have in mind.... It will make it infinitely more difficult.... It's 180 degrees out of phase with the prevailing philosophy."

Mr Bartolucci: Who said that?

Mr Gerretsen: That was Duncan Sinclair. He too thought that taking health care and social service costs and dumping them on to the property taxpayer is totally the wrong thing to do.

Yes, municipalities can take over an additional amount of services and the costs relating thereto if you're going to take education costs off the property tax roll. But the worst place to do it is in the health and social services area.

The reason for that is quite simple. Most municipalities, indeed all of them, as far as I know, set their tax rate once a year. They figure out their budget and they budget in accordance with that. If during that year there's any shift as a result of, for example, a plant closure and there is a run on the municipality for social services, for health care services or any of the other soft services that are being downloaded on to municipalities, that municipality simply is not in a position to react to it as quickly as you would under the income tax system, which is basically the taxation system on which the province relies.

Let's get that clearly established. The government's own commissions, the heads of the two famous commissions they've set up in the last couple of years, the Who Does What Panel and the health restructuring commission, both think it's the wrong thing to do to transfer these kinds of costs to the local taxpayer.

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The other thing that's interesting is that it's only been recently that the Premier has in effect come clean by

saying, "Yes, maybe Bill 160 is about taking another \$700 million out of the education system." You may recall that the other day he said, "Yes, municipalities may have to save perhaps another \$667 million as a result of transferring and downloading costs on to them," but he's saying it's only 2% or 3% of their budget.

I can tell you, Mr Speaker, that as a result of grants being reduced to municipalities over the last number of years, most municipalities run in an extremely cost-efficient manner already, and to say they can handle another 3% is just totally unfair to them.

Why didn't he agree the other day, for example, that if as a result of these funding changes, municipalities are going to be short — why won't he guarantee to them that he'll make up the difference from provincial funds? Because he knows they're going to be short.

In my own area of eastern Ontario, even with the latest downloading proposals as contained in this Bill 152, many of the municipalities will be mega-dollars short. Let me just give you some examples here if I can find them. A couple of them just come to mind. For example, in the united counties of Stormont, Dundas and Glengarry, they predict that taxes on the average residential property, as a result of the downloading that's taking place here, will go up \$315 per unit. Let's see. What else do we have here?

Mr Bartolucci: That's per unit?

Mr Gerretsen: That's per unit. In Lanark county, they expect that as a result of this downloading legislation there will be a \$3.9-billion shortfall in a relatively small rural county in this province.

Hon Al Leach (Minister of Municipal Affairs and Housing): Billion?

Mr Gerretsen: It's \$3.9 million. If I said billion, I stand corrected.

Interjections.

Mr Gerretsen: Look at that. The government members get all excited because I may have said \$3.9 billion for Lanark county when everybody darned well knew that we're talking about \$3.9 million. If it's such a laughable matter, why don't you, Minister, being in the House tonight, guarantee that if they're short that amount of money, you'll make it up to them?

Yes, of course. You've got no answer to that one.

How about the new Frontenac townships? We're talking about a projected increase of 23.8% as a result of this downloading legislation.

The government is really relying on the fact that when the new councils get together, obviously no council wants to start off its first term in office, its first year in office, with a 10% or a 15% or a 20% tax increase and they will sharpen their pencils and they will do all the work they possibly can in order to get that number down as much as possible. What the government is really hoping is that they will do the dirty work for them. It's as simple as that. There may even be the odd municipality somewhere that might achieve it, but at what cost are they going to achieve it? They can only achieve it at one cost, and that is, if they are expected to take on greater responsibilities, there will

either have to be a cut in services or, alternatively, taxes will have to go up. There's no other alternative.

But that's only one part of the equation. The other thing, of course, that is going to be just as interesting is how the market value reassessment process that is currently going on in the province is going to affect local property taxation. When you add on top of that that in some municipalities there has been major restructuring — as in Metro Toronto here, as for example; in my own area, the new city of Kingston — when you add that into the mix, no wonder nobody, including the local treasurers and the local politicians and the province, has any idea as to what the bottom line is going to be, other than that the costs that are being transferred to municipalities, the known costs, are going to be much, much higher than what the province is currently paying.

It is all right for member after member — and I must admit that I'm somewhat surprised. The municipal members get up and say, "We know that some programs can be better delivered at the local level," and I agree with that. There are some programs that could be better delivered at the local level, and yes, AMO for years has been asking for more jurisdiction in particular areas. But they have never, as far as I know, asked to take over all of the health funding, all of the social services funding, which they're going to do now to a much greater extent, or all of the ambulance funding that they're going to be involved in to a much greater extent.

The other program that I don't ever remember municipalities coming to the province on and saying, "Please let us administer this for you and let us pay the bill for you," is the farm tax rebate program. You're from a rural municipality, and I know that many rural politicians are deeply concerned, particularly from the smaller municipalities, as to how they will be able to pay the farm tax rebate to their own farmers in their own particular areas. It's going to be extremely difficult for them. The farmers have come to rely on that kind of funding, and to ask rural municipalities that have a limited tax base to fund that will be extremely hard to accomplish, and in some cases they will not be able to accomplish it at all.

Finally, before turning the matter over to my colleagues here, let me just make one other comment. As you know, there are three islands in my own riding of Kingston and The Islands: Amherst, Howe and Wolfe. These islands have always enjoyed provincial subsidies to run their ferry system. All of these people, many of whom have lived on these islands for many generations — there are about 2,000 of them on these three islands — as of January 1 have still not been assured of any kind of service at all. I know that to some members in the House this is almost a bit of a jocular matter that we've talked about over the last little while, but to the people who are living on these islands it is no joking matter. They are less than one month away from not having any ferry service at all.

The reason for that is quite simple. The amount of subsidy that goes into these various ferries is about three or four times the amount that they collect in total local taxation, in real estate taxes on those islands. There is no way

those islanders could ever pay for that kind of service. So far, for the entire last year, all the government has done has been to stonewall them and basically say, "On January 1, here's the boat and here's the key."

I would hope the government would realize at some point in time that, yes, there may be an additional cost involved here for these islanders that may not make any immediate economic sense, but it ought to realize that it's the government for all of the people of Ontario, not just for those people who may not at a given moment in time cost that government any money. I would suggest to the government that they re-evaluate their position on that particular matter, for the simple reason that this government was elected to govern all the people of Ontario. To unilaterally cut 2,000 people off from their livelihoods and their way of life completely, without any recourse whatsoever, would certainly be totally absurd and ridiculous.

I will simply leave it at that and turn it over to my colleagues. I would hope the government would realize that what it's doing here is placing a tremendous burden on the local municipalities, the kind of burden that the local councils may not be able to deal with.

With that, I will turn it over to the member for Yorkview.

Mr Mario Sergio (Yorkview): I'm pleased to continue the debate on Bill 152, a bill that is supposed to make some improvements for the local municipalities and the local taxpayers.

As usual, it carries one of those misnomer headings, if you will, because it addresses as "An Act to improve Services, increase Efficiency and benefit Taxpayers...." We have heard not only from one but several members from the government side how this is supposed to benefit the local municipalities, the local taxpayers. I have no idea, with all due respect to the members on the government side, where they have been during the various public hearings, because I attended those public hearings and I heard every single presenter, and I haven't heard of anyone speaking in support of Bill 152.

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I don't speak of any particular individual who came to make a presentation to our committee, but I'm speaking of various groups, various agencies such as the Ontario Plumbing Inspectors Association and even including agencies such as AMO, which is well respected and speaks, I would say, for the majority of the municipalities throughout Ontario.

Interjection.

Mr Sergio: Yes, indeed. As a matter of fact, if this were indeed to provide some relief for the individual Ontario taxpayer, for the various municipalities, large and small, then I have to say with all due respect to the government members, especially those who were a part of that committee, that they have not listened to what the people were saying, to what those groups were saying: groups that largely favoured the Conservatives prior to the last municipal election.

Let me quote from the presentation of AMO, which I have kept full and intact:

"Despite numerous requests by municipalities, the government has not indicated a willingness to ensure comprehensive municipal input into the policy development process. In addition, the provincial ministries continue to make determinations regarding service levels for programs such as child care and social housing without engaging municipal funders in discussions on these important matters. We believe this is a violation of the pay-for-say principle, and call on the government to immediately engage the municipal sector in joint discussions regarding program standards and service levels for all programs being transferred to the municipal sector."

This is not one individual saying that. This is in writing from the Association of Municipalities of Ontario representatives during the public hearings. Evidently, there is no change in the bill; there is no amendment in the bill. Therefore, I have to say that including our own amendments, which were not accepted, the comments and the views of the municipalities of Ontario have not been taken into consideration.

It goes on to say:

"AMO is also concerned with the high level of provincial oversight which is enshrined in Bill 152, particularly in relation to public health, social housing and land ambulance. For example, Bill 152 includes provisions for the appointment of assessors, a new layer of oversight in addition to existing compliance requirements for public health programs. We believe that this high level of provincial oversight signals a level of mistrust of the municipal sector and perpetuates the continuation of an unnecessary and expensive provincial bureaucracy for what will be municipal programs."

This is to the core of the matter: If the government cannot trust the local municipalities, then why is the government downloading this responsibility with conditions on to the local municipalities? It can only be for one major reason, and that's where Bill 152 is terribly flawed.

Unfortunately, even in those conditions, what is it going to do? It is going to force local municipalities to take the blame, to be the scapegoat for the provincial government. It is going to make the municipality either increase taxes or come up with new user fees — according to the Premier, any new user fee is nothing less than a new tax, and I agree with the Premier — or cut programs, as we have already seen in the last 18 months to two years. Is this how we are going to improve local municipalities, by downloading all these responsibilities?

By the way, the province is reserving the right and the power to tell the local municipalities how far they can go in providing those services. Either you give them that right to govern by themselves or you don't. Unfortunately, I have to bring into the picture Bill 160, because this is nothing more than a photocopy of some of the issues emanating from Bill 160.

Premier Harris, I have to say, has made a fundamental mistake downloading all those social responsibilities on to the local municipalities. None other than the voice that spoke for the government and for everybody else, Mr

David Crombie, said that you cannot download on to the local municipalities social services and social costs.

Let me say this: This is what two very well known and I would say well-respected provincial restructuring consultants had to say with respect to taxes in general, increases in general, if you will, because of the downloading costs on to the local municipalities. Mr Harry Kitchen and Mr Doug Armstrong predicted a 36% to 124% increase — we are not talking 3.6% or 12.4%; we are talking 36% to 124% — due to the unloading by the provincial government.

I have just a couple of examples to let the government side know how especially the small local municipalities will be adversely affected by the downloading of Bill 160, sure, and Bill 152.

For example, Chandos township is in the southeastern area of Ontario here. It's a wonderful area of small communities, beautiful little towns, recreational areas, and not too many industries or commercial areas. But in those industrial and commercial areas in those small communities, the highest will be up to 124%, and that comes from the consultant hired on behalf of the government itself. In Lakefield, it's 35.9%. These figures are not all wrong. I would venture to say I don't know how many members of the government have seen these figures, how many members have indeed read what those consultants have told the government, but with all of that, they went ahead and did it.

Commercial taxes and industrial taxes as well: 41.6% in Peterborough. What did some of the local municipalities say to the government members during the various public hearings? You know what the people in Halton were saying? Some \$1 billion is going to be downloaded on to the local municipalities. Even the chair of the municipality of Halton said that \$33.9 million will have to be absorbed by that small municipality. Those figures come from none other than the provincial admission as well. That spells some \$473 for a residential home of about \$175,000 to \$180,000.

The region of Peel will have to absorb some \$67 million. I'm sure that some colleagues on the government side who represent the southwestern area are well familiar with those particular towns and conditions. I can tell you that they won't have very happy regional councillors and city mayors. The region of Peel: \$67 million, which spells about \$252 for an average house. An average house in that municipality is going to be between \$150,000 and \$200,000. When you add everything else, all the costs of the total downloading, let alone Bill 152, it is going to come out to a lot more than \$252.

2010

Unfortunately with the time restrictions, because our time in this House has been curtailed by the government, I only have a couple of extra minutes. I wish I had a lot more time to pinpoint some of the concerns that people close to home have been telling me. But let me talk to you, if I can, for the next couple of minutes on Bill 160, because Bill 152 emanates from Bill 160. When the government keeps on saying, "We have taken some \$6 billion

off the property taxes," this is no big deal. No big thank you that should come from those people because they will be hit hard from the government come July next year.

The government has now given itself the power that the tax bill doesn't have to go until after June 29, 1998. Why June 29, 1998? Because that's the due date as to when you can file an appeal. Isn't that nice? This is part of a government that's supposed to be saying to the people, "We are open, we are accessible and we are here to listen to you." That means they have the power to juggle around the figures, set their own rates and there is no appeal whatsoever.

On top of that, they will be telling local municipalities how to draft their tax bills. Local municipalities are not allowed to criticize the government for the downloading expenses. Therefore, the minister, one person alone, can control the tax bills. The taxpayers are going to be very, very upset, very surprised come July next year, 1998, after the deadline is passed and there is no appeal for their tax bills.

Let me conclude with one thing, and that is the power the government has given itself, the minister has been given. There are some things I don't think many people, let alone some members of this House, know about this particular power. The nature of this power consists of getting some \$6 billion from property taxpayers without a say or without coming to this House to see how they would get it. There is no debate, there is no vote, no legislation; solely done by the power of the minister. This hardly can be called an open government, doing things visibly and doing things for the betterment of the people in Ontario.

I have to say in general that Bill 152, in its present condition, with none of the amendments proposed being accepted, should not be approved by this House.

The Acting Speaker (Mr Gilles E. Morin): The member for Oakwood.

Mr Mike Colle (Oakwood): I thank my fellow colleagues from Yorkview and Kingston and The Islands for their comments. I know the member for Kingston and The Islands was a long-time mayor, and also very involved in and I think a past president of AMO, so it's certainly an area of expertise that he has a lot of credentials in. He adds a lot of insight into this massive transformation that we see in Bill 152, which is, in essence, the downloading bill. It's the downloading of soft services or social services on to the municipal property taxpayer.

For years that has been the bane of the existence of most municipal property taxpayers, that they don't want to pay for income maintenance programs on their property taxes. The fundamental reason they don't want to do that is that, as you know, you could be a tenant paying property taxes, you could be an owner of a home or a business, and when your business is going poorly or perhaps you're unemployed because of recession, then normally what happens is welfare rates go up because people lose their jobs, people need social assistance and need housing during a downturn in the economy. The contradiction is that these homeowners or business owners will be doubly

punished. They will not possibly lose their job or lose income in their business, but they will be forced to absorb the cost of income maintenance on their property tax. So their income is dwindling and being crunched. Yet the downloading of these services, which are usually fixed, on to the property taxpayers will cause a double whammy, you might say a double hit, on those property taxpayers. That's why for years property taxpayers across Ontario have always tried to get rid of these soft services, and that's why municipal officials for years have been trying to eliminate soft services — social services, social housing, health care — from property taxes.

What Bill 152, the downloading bill, does is just the opposite. In fact, it further aggravates a problem that has been festering for years. It now does a fundamental shift in even adding more burden on to the property taxpayer where the property taxpayer has very little room to operate.

For instance, the most frightening download is probably in the area of social housing. It's about a billion-dollar bill in Ontario. A billion dollars of social housing costs are being taken off the provincial government books and now, as of January 1, 1998, the local property taxpayers in every town, city, unorganized territory across Ontario will have to pay for social housing. It's a new \$1-billion social housing bill. What this means is that 270,000 households across Ontario will now rely on property taxpayers to support them in their housing shortfall.

What you're going to do by this is, in essence, you're going to put in conflict the property taxpayer and those in need. You're going to have people who need social housing. Whether you like it or not, or whatever is happening in the economy, there will always be people who need social housing. Generally, its people who are unfortunate because of their health, because of their age, because they don't have work. There are 270,000 of these households in Ontario.

What's going to happen, as these are now shifted to the property taxpayers, is that the local elected officials are going to have to make these unbelievably difficult decisions of whether or not to do the basic things property taxes are made for — that is, maintaining roads, picking up garbage; all these basic services that property tax was created for. They're going to have to decide whether or not they're going to improve that social housing unit, build social housing units, whether they are going to have health programs in their community, or whether they're going to fix that bridge, fix those sewers, provide public transportation. Those are going to be difficult decisions that are going to have to be made by those elected officials. The property taxpayers are going to have a hard time trying to see the needs of those people in need.

It's going to be very difficult in some communities where there isn't a tradition of helping people with housing or health. They're going to have to decide not to fix the bridge, not to build the new road, and instead put it towards social housing. You can imagine the battles all across Ontario where people who are down and out are going to have to be battling for a roof over their head.

There is going to be a legitimate battle going on, and in most cases there is going to be a lot of bitterness, there is going to be a lot of anger and vitriol as a result of the conflict Bill 152 does.

In essence, it puts people in need against property taxpayers across Ontario. You're going to have conflict all across this province. You're going to have a new battleground for social programs. The new battleground for social programs is going to be at the municipal council meetings, it's going to be at neighbourhood ratepayer meetings, because the debate will be whether or not to provide adequate ambulance service, whether to provide adequate day care service, whether to provide a home for the elderly. This is the type of argument and debate and conflict that Bill 152 unleashes upon Ontario.

2020

I should mention that if you look at the experts — and I know this government has either not looked at them or refused to acknowledge they have — there is not one academic or business case study that this government has produced which shows that it makes fiscal, economic sense or social sense to download housing on to property taxpayers. They didn't produce one document that proved this is a proper thing to do, because there aren't any studies that would support this cockamamy idea of this government. The downloading of social housing is a cockamamy idea that came from who knows what. I know David Crombie, the expert the government paid to decide Who Does What, even said this came on the back of an envelope, it came out of the blue, it was never discussed, never recommended. Where does this cockamamy idea of downloading social housing for the poor on to the property taxpayer come from? There isn't one document, one study, one piece of evidence which justifies this cockamamy idea of downloading housing on the property taxpayer.

It is a foolish scheme. It is a scheme doomed to failure. It's a scheme that jeopardizes the vulnerable in our society and jeopardizes the property taxpayers right across Ontario. If you look at other experts who have looked at this thing, you'll see that, for instance, the Crombie commission report itself said, "We are unanimous in the view that if there is a choice between placing education or health and welfare on the property tax, it is clearly preferable to continue to rely on property tax to fund education." In other words, it's probably better to go back to the old system of having education on than putting welfare and social housing on. This is what Crombie said.

Also, in terms of shifting social services to municipalities, Crombie said it's "both wrong in principle and devastating in practice" if you do this; if you dump welfare on the property taxpayers.

Interjection.

Mr Colle: My friend from Kingston and The Islands said Duncan Sinclair said the same thing.

George Fierheller from the board of trade said, "They've got this one wrong." It's not sensible, it's not reasonable to dump social programs on property taxpayers.

Terry Mundell of AMO, the Association of Municipalities of Ontario, said that it's just not acceptable to dump this on property taxpayers.

The Canadian Taxpayers Federation, Paul Pagnuelo: "By shifting volatile social services, clearly a provincial responsibility, over to the property tax base, can only spell" —

The Acting Speaker: Order, please. When conversations are louder than the person who addresses the House, there's something wrong. The member for Oxford.

Mr Colle: Thank you, Mr Speaker.

Again, right across the board we've got almost a unanimous agreement from the experts that, especially in social housing, you can't put it on property taxpayers. It is too volatile, it is too much of a social responsibility. It should be on the provincial or federal income tax, not the poor property taxpayer or a tenant who pays property tax through rent. You can't do it; it doesn't make sense.

If you also look at the hearings that were held across the province on 152, the other area of concern was the area of health. As you know, with Bill 152, the downloading bill, public health will be a public responsibility at the local level. The fear expressed by experts in public health was that because the property tax base is so small, you'll have this competition between public health programs like smoke reduction programs, asking young people to stop smoking, AIDS education programs. Local municipalities will be so strapped for money they will not put money into preventive programs that will be cost-savers in the long run because they'll prevent these diseases from taking place in the future. These disease prevention measures in the field of health will probably suffer because of the shortsighted dumping of public health.

Ambulance services are now going to be dumped on local municipalities. You can imagine the hodgepodge, ad hoc system of ambulances we're going to have across this province, because every municipality will have control over ambulance services and who knows where it will be.

In terms of areas of public transportation, we are going to become the only jurisdiction in the civilized world which will have public transportation totally dumped on the property taxpayer. If you go to Malaysia, if you go to the Soviet Union, what is now Russia, if you go to Afghanistan, if you go to Italy, France, England, the United States, nobody dumps the cost of public transportation on to the property taxpayer solely. This government is doing this.

Which study, which documentation ever suggested that the cost of public transportation should be on the property tax? None. This was another whim on the back of an envelope, on the back of a serviette that was written down that makes no financial sense, because what it will do, it will again destroy public transportation across this province. It will mean that the gridlock that we have and are beginning to see in the GTA, in the Niagara Peninsula especially, which we see all around Metro — we're going to see total gridlock where you'll be spending more money stalled in traffic than you'll be getting from Mimico to Markham. All your money will be spent stalled in traffic,

all the cars will be pumping and spewing into our streets because there will be no money for public transportation.

The proof of it is, take a ride on the QEW parking lot any time, on the 401 parking lot, the Don Valley parking lot. It is bumper to bumper. If it is bumper to bumper now, when this government takes away funding of public transportation, as it's going to do with this downloading Bill 152 — I see the former Minister of Transportation Gilles Pouliot. He knows it's a disaster that very few people are aware of that's pending.

Mimico will be known as smog city when this bill passes because of all the cars that will pollute because there will be no money for the streetcars, there will be no money for buses, there will be no money for GO transportation. Without provincial money in it there will be no expansion. It will dry up, it will wither on the vine. It will be just cars, cars, cars wherever you go. Cars are good, but not everywhere. You have to have a balance.

That's why every country in the world has put provincial money, state money into public transportation, except for this Neanderthal government that's now going to put public transportation on to the backs of property taxpayers. It makes no sense. It's a recipe for disaster.

I'll pass it over to my colleague from York South.

Mr Gerard Kennedy (York South): It is a pleasure to continue with the discussion originated by my colleagues, and I particularly want to endorse the remarks of my colleague from Oakwood, the former chairman of the TTC, who knows something about how public services have to be preserved.

This bill is very obvious, as many of the bills from this government are. This is the latest in a litany of bungling by this government as it tries to cover up for the superficial promises it made in its Comic Book Revolution, with no idea how to run a good public transit system or any of the other services that it's now trying to fob off on to the municipalities under the worst circumstances imaginable, under circumstances of chaos and confusion that this government loves to foment when it comes to public services.

As my colleague from Oakwood has already indicated, this is not good for public transit, it's not good for public health, it's not good for ambulances. In short, it's not good for many of the things that make Ontario work, and all because this government, its members, the people who were sent here to represent a certain kind of take on things, instead have become fixated with one thing and one thing only: delivering on a tax cut, an ill-timed tax cut for Ontarians that's going to add \$18 billion to \$20 billion to the public debt of this province. That will give this government, like many Conservative governments, its deserved place as the people who generated most of the debt in this province, because they had \$40 billion before we kicked them out of office last time.

Ladies and gentlemen, this is certainly a bill about reducing services in this province, about reducing efficiency, and certainly about creating more duplication than we've seen in this short a period of time.

Interjections.

Mr Kennedy: We hear some of the members opposite agreeing.

Certainly, when it comes down to the kind of cuts that our various municipal representatives are going to be asked to make, they're going to be done in areas that you would think even this government wouldn't trifle with; that even this government would show some due respect for the kind of things that have been accomplished in the area of public health, for the singular importance that people place on that part of the health system that brings an ambulance to their door, that makes sure they receive emergency medical attention in a timely fashion. Instead, in a very cavalier fashion, if you talk to any of the ambulance operators in this province, any of the people who deliver those services now, you know this is a government just sowing complete chaos over the next two years, huge uncertainty for the kinds of people who are out there.

We have to examine it in more detail to really surmise what, besides dumping the Meccano set all over the floor and letting the municipalities try and pick up the pieces, this government is trying to accomplish. What, for example, is it trying to do when it puts out ambulances in the municipal sector without setting appropriate standards, without really dealing with the way that ambulances need to function?

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We have right now an integrated ambulance service in this province. People are given service no matter what happens. When we start looking at municipal control, differing standards from municipality to municipality, different ways of paying for things with no real established mechanism to make sure that people are going to receive this service, we can see the problems arising.

It is extremely problematic just from the standpoint of the so-called efficiency. This is a government that is going to pawn off \$1 of ambulance costs which has within it another 40 cents in hidden costs. Why? Because when the provincial government, acting in concert, controlling a provincial system of ambulance services, was able to bulk-buy ambulances they could get them for a lot less. The same thing with the self-insured liability, which has kept some of the costs affecting ambulance services lower.

This government puts forward this bill to us tonight knowing full well that it's going to cost the taxpayers of this province more. But they're willing to do that because they're willing to take their simple gain, the idea of them cutting the taxes that they charge to some of the taxpayers, mainly those who are better off, and foist that in the way of extra user fees, reduced services and higher municipal taxes at another level. That's how crude this government has become.

When it looks at the costs of ambulance services, it isn't slowed down by that at all. It just cannot bring itself to govern effectively because, as I think many people are coming to realize, this is not a government that came to govern, that came to improve how government can work. This is just a government that knows how to take things apart and then has no idea how to put them back together again.

We see in the area of ambulances a whole environment being created where now we have Rural/Metro, we have Laidlaw, we have companies coming in from the United States wanting to take control of our local ambulance services. We are being given yet another blank cheque bill from this government that doesn't have the honesty, the integrity or the courage to tell us what it's going to do with local ambulance services. We may yet see in regulation fundamental changes that will allow the actual ownership of what has been at least a quasi-public system, there to provide services in the public interest. To have that taken away for the very cheap and very unsatisfying gain that is being offered by this government, I think the taxpayer will be able to evaluate for themselves.

But where this government really stumbles and distinguishes itself as the gang that couldn't shoot straight when they try to implement their Comic Book Revolution is in the area of public health. This government has abdicated its responsibility for hospitals, or at least tried to, but I think people know it's the Harris hospital policy, closing hospitals all across this province, 25 so far, and shutting them down all over the place; doing that, we hear now from no lesser authority than the new Minister of Health, with absolutely no vision, no plan at all for how they're going to be able to provide health services.

Incredible as it seems, two and a half years into this government, we find out they have no plan for health care and we find that there is a minister whose cupboard is bare and who is going to have to scramble around to do anything that looks like what the people of Ontario need. We see instead a desperate government that hasn't even got to first base to be able to define what services people need.

We should not be surprised that this is the selfsame government that could take public health out of the provincial sphere at the very time when all over North America — every other jurisdiction in the world in fact — public health is being made the agent of how to change health care systems. That tells us very singularly how little this government is interested in really making health care work, how small their commitment is to a publicly funded health care system and how many of the people who sit on the benches for this government must be looking forward to the day when we have a two-tier, Americanized-style health care system. That's exactly the path they're putting us on, by abdicating any kind of standards, by not being able to give us any kind of integrated health.

We have in fact the person this government appointed to be in charge of taking apart hospitals, with a promise of having some work later down the line, of being able to pull things back together, that person, Duncan Sinclair, last week in Kingston, at the association of public health authorities, said that the actions of this government in this bill, in Bill 152, are plain stupid, that in fact they're wrong when it comes to downloading public health, when it comes to taking away the services that people need.

In fact, if you were truly interested in the advice of some of the people who are trying to deal with some of the problems you are creating in health care, you would at

least listen to this little bit of advice. Most of the advancements we've had for the quality of life of people in this province over the last 50 years have not been delivered in the hospital operating room. They've come about because of the activities of public health. This government is preying upon the public's lack of contact with some of those services and the way that people take for granted many of those services, to take them away.

If we look at the status today, we have in front of us a bill that the government purports will replace their responsibility to look after our public health, to do that as it has been done for dozens of years in this province. Instead, we learn that this bill talks about a structure of fines, of going to court, of all manner of things, but the reality is that the municipalities control the board of health in their local areas, and in future, for the first time, they're going to have to pay for it. Those municipalities will have no easy means of being given the ability or the suasion or the compulsion to provide important public health services.

We checked with the chief medical officer of health for this province, Dr Mowat, to find out how viable this plan is on behalf of these befuddled Tories who are trying to pull things apart and then put them back together and call that advancement. We find out from Dr Mowat that, here we are, approximately one month away from January 1, when public health is going to slip out of the fingers of this government, when it can wash its hands of some of the most essential services we provide to the people of Ontario, and it turns out there is no enforcement mechanism. There is no plan for enforcement and, in fact, not one staff member has been hired to make sure that public health is provided to people.

I see some of the members there starting to hang their heads in shame, as well they should. Perhaps there are other reasons why their heads are hanging. When we look at some of the reasons why health hazards in community health no longer will be looked after in the manner that they have been in the past, we have programs out there that are 80% and 100% funded by the provincial government. We see, for example, for chronic disease and injury prevention, that no longer will the province take an interest in making sure that those programs are going to be put in place, because they won't pay for them.

The role that public health has in early breast screening, a new role that has started and has gotten a lot of the people in public health excited, will now have to compete with potholes, with a whole range of things, especially the roads, extra welfare services and the other things that this government is dumping on those municipalities, giving to those councils a whole set of things with which they're unfamiliar but which ought to be covered by the provincial government, for the simple and, to most of us, very logical reason that if you're going to benefit, then you should pay for it.

These are the kinds of services that unfortunately no municipal council forced to deal with its water systems, forced to deal with its roads, forced to deal with all the new things that this government wants it to take on to the

property tax, to take on to that static tax that has to be borne equally by older people as it is by renters, as it is by people who are out of work and those who have income.

Instead of putting it where it belongs in terms of income tax, the government is taking it off and it's going to make family health compete with those things. It's going to deal with sexual health. We heard this week from the sexual health association about the dangers. What they talked about is very clearly the dangers this government has opened up in turning back decades of progress that we have made with sexually transmitted diseases, the progress we've made in the disease of AIDS.

We talk about it particularly significantly today on World AIDS Day and here, on the very selfsame day when we're reminded to take responsibility for this societal problem, to do what we can to extinguish this new menace to health in our society, we have the regressive Ontario government pulling out of AIDS prevention, getting itself out of the business of making sure that AIDS is dealt with across the province, no longer paying for the 100% mandated programs that it had in the past; this on a day when we're supposed to be reflecting and redoubling our efforts to get rid of this disease.

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We hear about the things that have been identified, the need to have testing for women who have HIV, to make sure that when they're pregnant we are catching that. We could save the health system millions of dollars by the simple act of doing that. One of the best agents for the education to make that possible is no less than the public health system we have, at least for the next 30 days, all across this province.

We look at the general child health that the public health system tries to contribute to in terms of breast-feeding; we look at the kinds of things they do to control infectious diseases in terms of food safety and safe water and rabies control, and basically working as our authority outside of the hospitals to prevent diseases. We look at the not-so-long-ago times when tuberculosis and other vaccine-preventable diseases were out there in the kinds of numbers that meant real harm to the children, to the vulnerable of this province, and we recognize that it makes no sense at all to take away the ability to coordinate approaches to those kinds of problems. Those are the kinds of things that no single municipality should be left to have to determine whether they have to be done.

We know, even for things like children's dental programs, that they'll save them and the rest of society all kinds of money in the future, but that isn't going to ring very well with a municipal council which has got to get on with the job of absorbing the kinds of services that they're having dumped on them by this government.

Certainly we recognize this is a failure on the part of this government of the first order. It's a failure of a government that has no vision, it's a failure of a government — there are some people shaking their heads — but admitted to by the Minister of Health, that this government has no vision, no sense of where it's going. It has taken away hospitals. It has cut every hospital in this province.

Every member of this government stood silent while its hospitals were being cut by 12%, while its emergency room hallways were being filled with cots of people who had to be there solely because of a Tory government lacking a perspective, the kind of perspective which would recognize — and it's not too late, ladies and gentlemen, here tonight to recognize that the only way we can go forward with integrating health care, making it work for people, reducing some of the costs before we're faced with the large increase in demand that is associated with the aging of our population, is to do a good job of prevention.

Whether it's diseases or injury or education for children, or whether it's any of the things we've learned can be applied to the population at large, there is only one way to do that in this province and that is through the public health system. There is only one way to coordinate that in this province and that is by having it funded and coordinated by the provincial government.

For that to happen, as it did with social housing, there has to be a government prepared and courageous enough to stand up to its responsibility, to make public health and those other things work. It's not too late to do it, and I appeal to the members opposite to show that in place of a vision, you will at least understand the dangers —

The Speaker: Questions and comments?

Mr Hardeman: Just quickly, the members opposite seem to want to always look, but they always want to look back instead of ahead. I would just point out that the government has had discussions for the last year with the municipal sector to try to come up with the appropriate way of delivering these services.

The member from Kingston talked about the elimination of the farm tax rebate. I want to assure the members of the House and the members opposite that in fact the farm tax rebate was put in place a number of years ago to look after the cost of education on farm properties. As we look at removing the education cost from those farm properties, it seems that the municipal sector felt it was also the appropriate time to deal with the farm tax rebate and eliminate that program.

The other area I just wanted to touch on was that the member for Oakwood spoke about public transportation. Again, in discussions with the municipal sector, that was also one of the priorities they felt should be a municipal priority rather than a provincial priority.

To the member for York South, who spoke at length about public health and not being ready to deliver those programs starting January 1, I would point out that those programs are presently all delivered by municipal government. The only thing they don't do is pay 100% of the funding, which they will be doing starting January 1. I would suggest that this is not a major change, and I would assure you that the sector will be ready to deliver all those programs that they are presently delivering.

Last but not least, on the issue of land ambulances, I would also point out that the bill says that the land ambulance delivery of service will not change for the first two years, so the people of the province will be guaranteed the same level of service and the same type of service they

have been receiving in the past. They will receive that for at least the first two years. This will give the municipal sector the opportunity to deal with the issues, as the member across the aisle suggested needed to be done, so they can carry on and deliver those services in the future.

The Speaker (Hon Chris Stockwell): Response?

Mr Colle: The member for Oxford talked about looking ahead and looking back. He says the opposition is looking back. This is probably the most backwards-looking — it's totally regressive. This is what they used to do in the 19th century. Social housing, public transportation and health services were hodgepodge, ad hoc, at the local level. They didn't work. People were at the mercy of these hit-and-miss services. As we got more progressive and started to reach out to people and do things progressively and properly, they got to be more on the upper levels of government, the provincial and federal, where the impact was distributed on a more equal basis. That was the way things had gone for the last century. Now, with this Bill 152, we're regressing. It's like going back to the days of Charles Dickens in England. They're putting social housing, housing for the poor, back into the small neighbourhood churches and schools and into the cities.

Bill 152 and Bill 160 combine to be probably the most regressive, Neanderthal legislation ever put on the table here at Queen's Park. They're going so far back in time you can't even see or understand them. It is difficult for anybody who has studied municipal government or education to ever support Bill 160 or Bill 152. They are unsupportable. That's why they're jamming them through without debate.

The Speaker: Further debate?

Mrs Marion Boyd (London Centre): I'm sharing the time tonight with my colleague the member for Fort York. Since there is very little time left for debate of this bill, I will take only a few minutes to emphasize what has been said before about the effect of Bill 152 in terms of the health of the population of Ontario.

I know it is quite common for the members of the government to accept, as apparently the member for Oxford has, the line that has been provided to counter the very logical and clear arguments that have been brought by those who work in the public health area and the ambulance area about the dangers of Bill 152. It is absolutely incomprehensible to me that members of the government can stand in defence of this bill when they know that this particular provision, in terms of public health and in terms of ambulance provision, is likely to ensure that any effective reform of the health care system can actually be effective and appropriate for the health of the population.

We rely as never before, in these times, on our ability to maintain a healthy population, to prevent disease, to ensure that we are encouraging healthy lifestyles, to ensure that we are encouraging people to understand what their part, what their role is in maintaining their own health and the health of their community.

Yet what do we find? We find this government downloading public health responsibilities on to municipalities and downloading them in a way that is, in conjunction

with the change in mandatory services of public health departments, guaranteed to fragment the ability of the population health movement that has been so successful over many years in North America.

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What you find, of course, when you take the power away from the medical officer of health, as this bill does, and when you put the responsibility for decision-making about the types and levels of public health services at the municipal level, is that you rely on property taxpayers at the municipal level to see what the appropriate action is in terms of preventive health care. Frankly, we know very clearly that this has been a problem for local authorities from the beginning of time. There are many stories about why it is difficult for local authorities, without an overriding standard that is there to require appropriate action, to make choices in areas of prevention in health care when the results may not be known for many years down the line.

One of the biggest tragedies of our democratic system, quite frankly, is that our way of having elections at regular intervals — in the municipal field it's every three years — does not encourage politicians to make decisions that have long-lasting effects rather than immediate gratification. That is one of the tragedies of our current system.

When you put the responsibility for preventive health care, for health promotion, at the local level, where the results may not be known for 20 or 25 years, we should not be surprised when we see those local authorities making decisions about the spending of their resources in ways that do not support those long-term measures, because there is no immediate gratification. In the next election you can't go and say, "People of my town, I have managed to improve the health of this population by X much." It's not measurable that way.

Unfortunately, the slow and insidious growth of various health problems with the download that has happened in terms of water and sewage and with the download that has happened in terms of the maintenance of our healthy communities under this act makes it even less likely that local authorities will choose to spend the dollars they need to spend on public health campaigns that improve the general status of health.

When I was growing up, I think when most of us were growing up and public health departments were active within our schools around health promotion and disease prevention, we all got told, again and again, we had signs in our washrooms about a simple measure: the importance of washing our hands after going to the bathroom. We had nutrition lessons as a regular part of what happened because public health nurses were in the schools.

Gradually, that form of public health intervention, that prevention and lifestyle form, has eroded and, I admit, not under this government any more than any other government. It has eroded over time. One of the reasons it has eroded is that kind of preventive measure does not have immediate results. They're not measurable. It's not easy for politicians to say, in times of dwindling resources, that this is where we should put our money because we know

down the line we're going to save money as a result. That's a hard political sell.

If it's hard when public health is mandated and is under the control of a provincial government, how much harder is it when it's at the local level? A great deal harder. The programs my colleague from York South talked about — the programs on sexually transmitted diseases, the programs on nutrition during pregnancy, the programs that are offered around hygiene matters, the programs that are delivered in terms of needle exchanges — these are not popular in some parts of the province. There are some municipalities that don't want to get into the field of dealing with sexually transmitted diseases because they think that has something to do with sexual activity and they don't want to be involved. We will find many municipalities not participating fully in the very kinds of programs that have been shown to be essential in terms of the spread of disease, particularly as we talked about today on World AIDS Day, diseases like AIDS that are of epidemic proportions and that threaten all of us as a population.

When you add to that the absolutely insane notion that you can have an integrated health care system but you're going to have the ambulance services governed and paid for by local taxpayers, when you're in a situation where you are closing hospitals and trying to amalgamate and bring services together to build a kind of level of expertise in regional hospitals — a move which may be good in and of itself but which is certainly going to require more transportation by ambulance — and then you download that ambulance service on to municipalities and you require them to pay at the local level for those services, even knowing people will travel across many municipalities as they access those ambulance services, you think somehow this supports any believable action on your part about the integration of health care services? Not on your life.

This is simply a measure that is focused on privatizing yet one more aspect of the health care services. To my amazement, you have absolutely no empathy for those who have invested their lives and their life savings into privately owned ambulance services now. You have provided in this bill for a takeover of those businesses by municipalities with no compensation. It's very strange that this business-oriented government is quite prepared to turn around and attack businesses that have operated in this province for a long time, but it's quite clear why: You're not interested in all businesses; you're only interested in some businesses.

What you are clearly doing in this act is opening the door to those large private corporations, mostly American, that through economies of scale are trying to convince you that they can offer services at a corporate level in a better way than the locally delivered services that are there now. You've bought that line and you've opened the door. This bill is going to see the takeover of our ambulance services by many services that have proven to be quite inferior in other jurisdictions where they operate.

You have put no standards in this bill. There is no guarantee that when they're in regulations those standards

won't erode over time to make it even easier for these profit-making corporations to make even bigger profits.

You have not of course allowed successor rights, so if these big corporations take over these areas, what will happen to the current employees, the well-trained employees we trained with taxpayers' money?

When you talk about making these changes and making them for the good of the population of Ontario, or when you try to sell them by saying this is going to be a more adequate way for taxpayers to be sure that their tax dollars are spent appropriately, shake your head. People can only be fooled for so long, and this is one of those bills that, as time goes on, is going to hang around your neck like an anchor. You may now try and convince people that it isn't going to have that effect on taxpayers, but we can assure you it will and you will rue the day that you touted this bill as being good for the taxpayers of Ontario because they are going to find out very soon how bad it is.

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Mr Marchese: I want to congratulate the member for London Centre because I believe she has very accurately reflected the views of those who came to depute on Bill 152 as they relate to ambulance services and as they relate to public health.

I will add to her comments by giving some historical view of what I believe the people of Ontario are facing and why this government is dealing with Bill 152, which is very much inextricably connected to Bill 160.

This government should have been able to do much better in terms of getting a hold of its finances, for three reasons. One is that the interest rates have been at their lowest in the last 30 to 40 years, as a result of which this government has saved a great deal of money on the debt and deficit. I think they obviously view that as a good thing, but they never talk about the savings they've had as a result of interest rates being low, and it's good.

The other savings they've had of course — and these people, these Tories on the other side, talk about how great the economy is moving along, as a result of which presumably we should be rolling in money because of the thousands of jobs you people are creating, and as a result of that presumably we should be having a lot of money in our provincial coffers to deal with the debt and the deficit.

The third area is the \$8 billion to \$10 billion that these fine Harrisites, these Tories, have cut in a lot of the provincial operational programs that we control as a province — \$8 billion to \$10 billion that these people have cut already.

Add it all up: 8 billion to 10 billion bucks you've cut from all of the programs from the ministries that you operate — environment, health, education, social services, culture. My God, the list goes on. You saved big bucks by chopping, essentially getting rid of a whole lot of workers who were providing a service who no longer can. Add that to your improved economy and the income taxes coming in and the interest rates, and I presume these folks would have gotten a hold of the deficit.

Why is it that they haven't done so? I'll tell you why, for those of you who are watching. The reason they are

not getting a hold of the deficit is because of the income tax cut. They're almost close to approaching the 30% income tax cut. He's done two thirds; he's got a little bit left. That income tax cut is costing \$2 billion to \$3 billion to servicing. In other words, the government has got to borrow to pay \$2 billion to \$3 billion worth of money that's going out essentially to the wealthy folks these people are connected to: two to three billion bucks. That's why they can't get hold of the deficit: They've got to pay for the income tax problem they have instituted to help their banker-type friends. Imagine bankers, who earn \$1.5 million, at the end of a 30% income tax cut are going to get back \$120,000. These fine limousine drivers, like ministers, who go to work, do you think these people who make \$1.5 million need a new fridge or a new stove or a new appliance? These people don't need that. These are the people who are making the money. Those of you who are watching this program, who've heard about Mike Harris's income tax cuts and are waiting for the benefit to flow from these cuts, are looking at your paycheques still, and saying, "Where is it?"

Speaker, you're aware of it because I know your constituents are calling too. You know that too; I know that. I know you're neutral and you can't talk about it, but your constituents are calling you too. These boys are saying: "Look, if this income tax cut has happened, where is it? I can't see it in my paycheque?" "How much are you earning?" "I'm earning \$40,000, I'm earning \$50,000; I don't see it."

Mike Harris and the Ministry of Community and Social Services types are saying, "Give it back." Give what back? If they're not getting any, what can they give back? What you should do is ask your banker friends to give it back because those people don't need it. But Mike Harris says, "Don't worry about that because even if they make \$120,000 on the \$1.5 million they got, because of our income tax cuts they're going to invest. That will lead to productive jobs. It's going to create jobs." The people who are suffering out there are not seeing those jobs. They're not seeing it. Ask the people who are suffering.

Thomas Aquinas said, "To live well is to work well." You remember the great 13th century theologian, Speaker, a fine theologian. It's an important saying — 13th century. He had it right, "To live well is to work well," but far too many Canadians today feel defeated and desperate. They see the 14,000 workers Mike Harris is laying off and the countless other workers who are being laid off by the cuts of the Mike Harris government; they're feeling desperate and defeated. This axiom, "To live well is to work well," is true if they have work. If they do not have work, they cannot live well. He had it right — 13th century.

What you've got here is Mike Harris having to deal with a \$2-billion to \$3-billion income tax cut problem every year. Some people say \$5 billion; I believe it's grossly exaggerated, but the \$2 billion to \$3 billion that we've got borrow to pay to wealthy bankers is very real. To get money, what does Mike Harris, the Premier of Ontario, have to do? He's got to introduce Bill 160 and consequently Bill 152. Why is Bill 160 in front of us? I'll

tell you why: Mike Harris needs the bucks to deal with the income tax cuts. That's why it's here.

Mike says it's all about quality education. He and the Minister of Education cite three areas: They say accountability, they say keeping the class size down, and they say the contact time the students are going to have is going to improve the education system. That is all they speak to. Let me speak to all three as quickly as I can.

On the issue of accountability, what Mike Harris, this Premier of this Conservative Party, is saying is: "We're going to centralize power, we're going to centralize control and decentralize blame and the burden downward. But we're going to first centralize power in order to get hold of the finances." He needs to centralize control, to eliminate the trustees and the boards of education so they no longer have a hand in the money and Mike Harris now controls the pot. It's a \$6-billion pot.

Why on heaven's earth do you think this guy wants to take control of education? To bring the level of education financing down. He's saying, "Everybody's going to be equal." I say everybody's going to be equally poor now. Separate school trustees who thought they were going to get more money are going to get less money for their education system, or they will be equal to the public school system. He's going to ratchet down, the billions of dollars. We're going to see that soon. When the Minister of Education brings the legislative grants forward in, I presume, a month or two, we're going to see that the level of education spending will be uniformly lower for both public and Catholic school kids in this province. That's what you will see.

On top of that, Mike Harris and the Minister of Education have found out, through the questions I've been asking these people, that there are \$2-billion worth of programs run locally. These guys have no responsibility to fund those programs.

Mr Wildman: He's going to whack them.

Mr Marchese: He's going to whack them good. Mike Harris and the Minister of Education are going to say, as he's been saying, "We're going to treat everybody fairly." I say to the Minister of Education: Answer my question. You never answer the question. I say boards of education are providing \$2-billion worth of programs and you, the province, have no obligation to those programs. I ask the minister: Will you continue to fund them? He says they're all going to be treated fairly. It's a chant; it's a constant — in his low, mellifluous voice, making me feel good — saying, "Don't worry, everybody's going to be treated fairly." One is tempted to believe him because he and the Minister of Labour are very mellifluous in their tone. You're tempted to believe them.

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I say to the people watching, not only has it been exposed that Mike Harris has taken \$700 million, identified in the contract to his deputy, but I tell you, Speaker — and your folks in Etobicoke are equally as worried about education as I am — he's going to take \$1 billion from those \$2 billion that the boards of education are spending and he's going to give it back to the boards of education

by saying, "I'm going to now provide junior kindergarten for all the boards of education in Ontario." Mike Harris is going to look like the prince on a white horse saying: "You see, I've been listening. You guys have wanted a JK program and I'm providing it for you." But he's taking \$1 billion away and then he's going to bring it back and say: "I've given you JK because I'm listening. I'm a good guy because I used to be a teacher and I know what it's like. I used to be a teacher a long time ago and I know that we need JK."

This is the same Premier who went to speak to some bankers the other day — bankers, corporate élites and university presidents — and said, "We've got to make education relevant." He alluded to the fact that things such as sociology or geography lead nowhere. I'm assuming he would lump into that category, that rubric, the lesser of educational programs: French presumably, philosophy presumably and all these other fine courses.

The Premier, this Renaissance man relegates these subjects as the little subjects that lead nowhere. Good God, I hope the presidents of those universities don't agree with him. I would be alarmed and ashamed to think those bank presidents and university presidents might agree with the Premier that these subjects are irrelevant. I would worry if I were you, Speaker, because you're in charge of this assembly, worried about everybody. I worry about a Premier who makes comments of that sort. I'm glad the Premier's here to listen to my comments. I respect the fact that he's here to listen to what we have to say.

I've got to tell you, on the issue of contact time, he's eliminating now not half of the preparation time, but a third of the preparation time, but if he's not putting the teachers back into the classroom and he's firing those people, how are you going to increase the contact time between teachers and students?

We talked about centralization of money to take it out. We talked about contact time. To expose the problem: If you're taking prep time away and you're not putting it back, you don't have the contact time.

Finally, class size: It takes billions of dollars to reduce class size by one; billions — even two, three — it takes billions of bucks. He's not putting bucks back into the system; he's taking them away. On the issue of class size to which he alludes and says, "We are getting hold of this

finally," he's getting hold of a bull. That's what he's getting hold of, and nothing short of that, because everybody understands that in the classroom an average of 25 means very little, because when you lump in the principals and the vice-principals and the consultants and a whole host of other people, that class size is huge. He's not saying we're reducing it; he's saying an average of 25. It means nothing.

They say this is what's going to improve the education system. I tell you there is nothing in that bill that will do anything of that sort. Mike Harris —

Hon Janet Ecker (Minister of Community and Social Services): It's Bill 152.

Mr Marchese: Minister of Community and Social Services, I'm coming to it. Janet, I'm coming to it. The Premier and his ministers are taking \$2.5 billion out of the property taxes that go to education and say that's wonderful. They talk about all these poor seniors who have been waiting for this for a long time. "Finally," Janet, you, Minister of Community and Social Services and others say, "relief for these poor seniors." What kind of relief is it if you take \$2.5 billion out for educational purposes and you put it back, if you load them, like Atlas who carries the world on his shoulders, with another heavy responsibility?

In Bill 152 you download housing, child care, welfare, ambulances, public health, \$220 million. You unload all of that and more.

The Speaker: It being 9:15 of the clock, pursuant to the order of the House dated September 16, I'm now required to put the question.

Mr Carroll has moved third reading of Bill 152.

Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

Pursuant to standing order 28(h), I would like to request a vote on Bill 152 be deferred until December 2, 1997: The government whip moves that. It now being nearly 9:30 of the clock, this House stands adjourned until 1:30 of the clock tomorrow.

The House adjourned at 2116.

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ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Etobicoke West / -Ouest	Marchese, Rosario (ND)		
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		York South / -Sud	Kennedy, Gerard (L)

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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of Ontario**

First Session, 36th Parliament

**Assemblée législative
de l'Ontario**

Première session, 36^e législature

**Official Report
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(Hansard)**

**Journal
des débats
(Hansard)**

Tuesday 2 December 1997

Mardi 2 décembre 1997

Speaker
Honourable Chris Stockwell

Président
L'honorable Chris Stockwell

Clerk
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 2 December 1997

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 2 décembre 1997

*The House met at 1332.
Prayers.*

MEMBERS' STATEMENTS

NEGATIVE OPTION MARKETING

Mr Bruce Crozier (Essex South): I rise today in the Legislature to urge the government to take action and ensure that Bill 83, An Act to amend the Consumer Protection Act, be passed in a timely fashion before the end of this session.

On Thursday, October 17, 1996, I introduced Bill 83 during private members' business. This proposed legislation ensures that consumers will not be asked to pay for services they did not request. In essence, this proposes to end what is known as negative option billing, a practice that has received widespread media attention and has raised the ire of consumers across Canada.

Bill 83 puts the consumer first. It's up to businesses to market their products positively. If the service they are offering is confusing, then businesses have an obligation to explain it and let the consumers decide whether they want it or not. This is the free market in action, people making choices, informed choices. Unfortunately, unscrupulous businesses have used the practice of negative billing to rip off customers and will continue to do so until legislation is put forth to end this. Not informing and not giving customers the choice is simply not fair.

I've been waiting for over a year for this bill to move out of the committee stage and for it to return to the House for a final vote. I have worked, in cooperation with the Minister of Consumer and Commercial Relations, to amend Bill 83, and it has received all-party support.

Because I believe it is a very important piece of legislation, I ask the government today to bring this bill forward.

EDUCATION REFORM

Mr Tony Martin (Sault Ste Marie): I want to thank all those who went to the wall over the last number of weeks on Bill 160: the parents, school boards, school administrators, other community individuals and groups and brothers and sisters in the labour movement.

Your presence at rallies, meetings, hearings and on the picket lines were invaluable in the effort to slow this

government down so that the broader public might have a chance at more fully understanding the implications of Bill 160.

It became obvious to all of us that what Bill 160 is about is diminishing seriously the resources available to educate all of the children of Ontario in keeping with our commitment over the years as a province to provide all people with the opportunity to be the best that they can be.

Bill 160 will give the government the tools they need to remove another \$700 million to \$1 billion from elementary and secondary education in this province.

Today I, on behalf of my caucus, say thank you and put out a warning to you to be vigilant, because in one of the groups to be hurt are those we care so much about and they are our special education students. Mike, Dave and government caucus members, we will not stand for that. That is completely unacceptable morally, ethically and practically.

We must continue the fight. We must ask the tough questions. We must keep the government's feet to the fire. I ask you to participate in the petition referendum campaign.

SERVICES FOR WOMEN AND CHILDREN

Mr Bert Johnson (Perth): Last Friday, the minister responsible for women's issues announced \$660,000 in grants to organizations and groups across the province. The grants are for programs and projects to prevent violence against women and their children, promote women's economic self-sufficiency and help women through the transition from crisis situations to economic self-sufficiency.

I'm pleased that two organizations from the riding of Perth were included in the announcement. Optimism Place in Stratford will receive funding to develop a model to improve and complement existing services available to abused women in rural areas and to provide a peer support program. Women in Rural Economic Development, also known as WRED, also of Stratford, will receive funding to assist rural participants to acquire business skills through training and practical experience as well as to establish two cooperative community businesses. These two agencies have done wonders for the women of Perth county and the surrounding areas. They have set a standard in their program development. I encourage others to take note of it.

As the government we have made a commitment to safety and wellbeing of people of the province. In supporting these programs, we are fulfilling a part of that

commitment. I would like to congratulate the minister for encouraging innovative solutions to support women in their communities and members of WRED and Optimism Place for making these programs work for the women of Perth county.

MUNICIPAL RESTRUCTURING

Mr Alex Cullen (Ottawa West): This week is inauguration week for the over 600 municipalities in Ontario. Yesterday I had the pleasure of attending the inaugural meeting of the council for the regional municipality of Ottawa-Carleton, led by the former member for Ottawa West and now regional chair, Bob Chiarelli, and the inaugural meeting of the council of the city of Ottawa, led by my former colleague on that council and now mayor, Jim Watson. As well, inaugural meetings were held in the city of Nepean, led by Mayor Mary Pitt, and in Gloucester, led by Mayor Claudette Cain.

Amidst the celebrations accompanying the inaugurations were words of warning regarding the challenges facing municipal councils and their taxpayers over the downloading of provincial services as a result of Bill 152, including words of warning from my colleague regional chair Chiarelli, who said, "This council will be severely challenged this year because of provincial downloading and internal pressures to keep taxes from going up." The cost of Bill 152 to municipal taxpayers was an election issue throughout Ontario. Now we have new municipal councils with new mandates but no new numbers showing the full impact of Bill 152 on municipal taxpayers.

I call upon this government to meet with the new municipal councils and come clean with the cost of Bill 152 to municipal taxpayers so that they can make the appropriate decisions to maintain the services taxpayers need. We heard plan A back in January, plan B back in May, plan C in August. We hear there's a plan D. Come clean with the taxpayers of Ontario and talk to your municipal councils.

1340

PUBLIC HEALTH

Mr Gilles Pouliot (Lake Nipigon): With the anticipated passage of Bill 152, public health will be downloaded to local municipalities. This indeed will have a negative impact on delivery services, especially in northern Ontario.

Some programs will be cancelled. Speech pathology and audiological services will be a thing of the past. Northerners, one more time, will have to pay more just to obtain the same services that most people around here, namely southerners, take for granted. Health care providers in my constituency call our office daily. They're exasperated by this government's determination to cut services.

The community of Longlac, for example, is desperate for a family physician to provide the most essential of services to the people of that community.

The community of Geraldton, located some 300 kilometres northeast of Thunder Bay, is on the waiting list for ambulance calls simply because there aren't enough beds available in the largest urban centre, that of Thunder Bay. This is inexcusable.

Furthermore, decisions are made in the back room, in the Premier's office, with little care given to the essential service, that of health. Northerners have contributed to the public purse and have fought and waited for decades to be treated like human beings. The opportunity is there. The wait is ours. We've waited too long.

AMETHYST AWARDS

Mr Joseph N. Tascona (Simcoe Centre): I rise today to alert the House that this is the fifth year of Amethyst Awards, which are being presented on December 3. The Amethyst Awards are presented for outstanding achievement by Ontario public servants. I would like to take this opportunity to congratulate two of my constituents who were part of a seven-member team being distinguished this year for their efforts within the Ministry of Transportation.

Joanne Austin and Kelly McCleary, along with the rest of the team, have been honoured with the 1997 Amethyst Award for the development and implementation of the Accident Information System, known as AIS. AIS provides detailed information on every reported collision on Ontario provincial roads. On a daily basis, ministry traffic staff can now analyse trends and collision data on both a provincial and regional level. The system created initially for central region use has now been adopted by all Ministry of Transportation regional traffic offices. The development of this project in-house has promoted team participation by the sharing of knowledge and expertise all those involved. By improving the quality and accessibility of information available regarding collisions occurring on our roadways, this team has provided a valuable service to the public.

The Amethyst Awards give us time to reflect on the varied accomplishments of Ontario public servants and the roles they play in improving the lives of the people of Ontario. I wish to congratulate my constituents and their team for their efforts in improving the data management of accident reports. Thank you.

HOME AND COMMUNITY CARE

Mr James J. Bradley (St Catharines): As the Conservative government of Mike Harris continues to make major cuts in hospital funding in the Niagara region and urges hospitals to discharge patients more quickly and more sickly, a crisis in home care services has arisen, with patients being informed that the frequency and number of such services will be reduced significantly.

As a result, visits from community nurses and rehabilitation personnel such as physiotherapists will be reduced and homemaking hours will be cut. Many patients and their families will be unable to cope with these

circumstances and the additional suffering will mean a return to hospital or to long-term-care beds.

The Harris government has squandered millions of dollars of taxpayers' money on self-serving political propaganda advertising but penny-pinches when it comes to care for our seniors and others who are vulnerable in terms of personal health.

The Niagara District Health Council found in a study in 1994 that the Niagara region would need \$16 million in extra funding annually to bring per capita spending on community health services up to the provincial average. The Harris government has fallen far short of this need and the vulnerable will suffer as a result of the Conservative government's desire to pay for an income tax cut that benefits the wealthiest in our province the most.

Mike Harris and the unelected whiz kids in his office must instruct the Minister of Finance to allocate sufficient funds to the minister responsible for seniors to meet these genuine human needs in Niagara and across Ontario.

EDUCATION REFORM

Mr Gilles Bisson (Cochrane South): Yesterday might have marked the third reading vote on Bill 160 and government members may think that this issue has gone away never to come back again, but that is not the case. People across this province are rallying together in communities from northern to southern Ontario, from eastern to western Ontario, banding together along with the New Democratic Party to put together a petition to put this government under the pressure it needs to be put under, in order to have a referendum on this most public, important issue.

In point of fact, on Friday of last week, my colleague Len Wood and I were in Hearst kicking off the referendum campaign. On the very first day, over 10% of the population of Hearst had signed that petition and I'm confident that that kind of progress will continue.

The campaign continues. On Saturday of this week, on December 6, from 9 o'clock in the morning until 12 o'clock in the afternoon, people will be coming to the Timmins Gold Mine Tour to participate in picking up their petitions in order to get together, in order to organize, in order to mobilize, in order to find out more about what's going on with this government's education agenda.

I invite all those people that are watching across the province, and particularly those living in the city of Timmins, to come on Saturday, December 6, from 9 o'clock in the morning until 11 o'clock in the morning at the Timmins Gold Mine Tour, in order to be able to mobilize and to pick up your petitions to participate in this most important referendum campaign.

SEXUAL ABUSE OF CHILDREN

Mr Jim Brown (Scarborough West): I rise today to speak on an important issue for all parents: pedophiles around our kids. This week I will be introducing my bill, the Protection against Pedophiles Act, for second reading.

Joseph Fredericks was on probation for abduction and assault. He was released into the Brampton community. He applied to coach junior baseball. In the meantime, he abducted, sexually assaulted and killed Christopher Stephenson. Minor hockey coach Graham James sexually assaulted many young boys, including NHLer Sheldon Kennedy. He had a position of trust over children and took advantage of that trust. Graham James and Joseph Fredericks are a parents' worst nightmares and there is nothing stopping pedophiles from being involved with children.

My bill requires any organization that has employees or volunteers looking after children to first obtain a letter from their local police force certifying that the applicant is not a convicted sexual offender. The applicant goes to the police station, signs a waiver to the police, pays a small fee and obtains a letter certifying that he or she does not have a sexual offender record. That letter is given to the employer or minor sports group.

Big Brothers and the Ontario Women's Hockey League already have such a procedure. The procedure is supported by Metropolitan Toronto Police and scores of police officers. My bill gives all minor sports and recreation groups a tool to try to protect our kids. I urge this House to support my protection against pedophiles bill.

WEARING OF RED RIBBONS

Ms Frances Lankin (Beaches-Woodbine): I request unanimous consent to wear the red ribbon symbolic of the fight against AIDS.

The Speaker (Hon Chris Stockwell): Unanimous consent to wear the ribbons? Agreed.

CONSIDERATION OF LEGISLATION

Mr Bud Wildman (Algoma): On a point of order, Mr Speaker: With your indulgence, I'd like to make a further submission with regard to the points of order raised earlier regarding whether or not Bill 164 is in order. The reason I'm raising this today, and I'll provide you a brief summary in writing, is that I have received in my office a copy of a submission made by the government House leader to you with regard to the points of order raised previously in the House. I would just like to respond briefly to the issues raised in this matter.

The government House leader makes the argument that the point of order I raised originally under standing order 51 is not a problem because of precedents in this House. They refer to Bill 108, which is currently before the committee of the whole House. The government House leader argues that since an amendment that has been put by this party to Bill 108 in committee of the whole House was previously dealt with in the standing committee, if my argument holds, then that proceeding is out of order. That ignores the fact that the very purpose of committee of the whole House is to go through clause by clause and deal with amendments. It's often, through precedent in this

House, quite proper to deal with amendments that were previously debated and voted on in standing committees.

The fact is that on Bill 149, if the government wanted to make further amendments, all they had to do was go to committee of the whole House and they wouldn't. What they needed to do was bring in a new time allocation motion which would allow them to refer the bill to committee of the whole House. But they didn't want to do that because of what had happened with Bill 108. The fact is that it's in committee of the whole House and the government doesn't want to deal with the amendments to that bill that are before the committee, and they didn't want this to happen to Bill 149 because they knew that by referring it to committee of the whole House for further amendment they were opening up the whole bill and they might have a major debate in committee of the whole House. Mr Speaker, I submit to you that their argument is specious with regard to Bill 149.

1350

The other point I would make is that the government House leader argues that at one point Erskine May argues about whether or not a motion or a bill can be substantively the same. This is not about that. We are not dealing with a motion here; we're dealing with two bills. Erskine May makes the argument that a motion cannot be substantively the same as a bill. Well, fine. We're dealing with two bills here, which in my view deal with substantively the same issues, not a motion and a bill. So that is not applicable either.

Also the government House leader argues that Bill 164 doesn't really amend anything in a way that contradicts what has been done previously on Bill 149 or Bill 160. In fact they say these new amendments in Bill 164 simply add to the previous amendments.

I would just draw your attention to one final thing. Bill 164 amends amendments, in our view, made to Bill 149 which speak directly to standing order 51, which I cited previously. For instance, schedule F, section 3: "On the later of the day this section comes into force and the day the Fair Municipal Finance Act, 1997 (No. 2), being Bill 149 of the first session of the 36th Legislature, receives royal assent, section 71 of that act, as numbered in the version of Bill 149 reprinted as amended by the finance and economic affairs committee, is repealed," etc.

They're repealing a section that was amended in the committee. Because the consideration of Bill 149 was time-allocated and the government had passed an arbitrary deadline that the government had laid out for itself for amending the bill, the government is attempting to bring in amendments by the back door, which is the original submission I made.

The standing committee considered this bill under the time allocation motion and made certain decisions regarding amendments. This is a similar situation to Bill 160. It was also time-allocated. The deadlines set by the government for amending this have been passed. As a matter of fact, we suggested they might be extended and the government House leader refused. The decisions regarding this bill were made by the standing committee

under the time allocation motion. We followed the procedure. The government is simply trying to amend it over again.

I would argue that you should consider these points in relation to the government House leader's submission before making your final decision.

Mr James J. Bradley (St Catharines): I'll be extremely brief, because this matter has been dealt with on a number of occasions. Let me just say that what is happening here, in the opinion of the official opposition, is that the government is attempting to do by the back door what it should have been doing by the front door. In other words, it has had two bills before the House, Bill 160 and Bill 149, which could be amended if the government wanted to. The government had the opportunity to seek the unanimous consent of the House, which I'm certain it would have received, to go into committee of the whole to solve any of these problems, to make any further amendments.

The government chose not to do so. The government chose not to amend, with the permission of others, and I think they would have had it, their time allocation or closure motion to enable them to make the changes to the bill and has now brought in a third bill, under a disguise of a name that nobody recognizes, which is in fact an omnibus bill dealing with other pieces of legislation and trying to fix the mistakes and the rush that the government was in on these other pieces of legislation.

I hope you take that into account. That's a very simple way of putting it, but I think that's a very succinct and reasonable way of putting it.

The Speaker (Hon Chris Stockwell): Thank you. I will take those into account. Government House leader.

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): I will be brief. I was somewhat heartened by the House leader for the third party and his support for some of the contentions which I put forward in my particular submission to you. I think the primary comfort that I found from his submission was that he, like I had during our experience in this Legislature, on many occasions during the committee of the whole House considered the same amendment which had been put forward in the standing committee which had previously considered that bill. Therefore, in sum total with regard to our submission, standing order 51 should be interpreted in that narrower context than in a larger context.

I would also point out to the House leader for the third party that while part of Bill 164 dealt with some of the matters that were dealt with in the previous bills, it is in fact a very, very minor part of Bill 164 in total. In fact, it probably would represent less than 5% of that bill in terms of its total context, because it's a very large bill, as the member opposite knows.

I believe that, contrary to the intent of the House leader for the third party, many of his arguments in fact buttress the arguments which I've already put forward to you.

The Speaker: On the same point of order, the member for Downsview.

Ms Annamarie Castrilli (Downsview): Just two brief comments. First off, standing order 51 clearly states, "No motion, or amendment, the subject matter of which has been decided upon, can again be proposed during the same session."

The government contends that this is not a motion or amendment. I'd just like to draw your attention to Bill 164 which states quite clearly that if Bill 149 has not passed, then Bill 164 is deemed to amend 149. So by the government's own argument, it is viewed as an amendment and therefore standing order 51 ought to apply.

The other point I would make is authorities which the government also cites from paragraph 656 of Beauchesne and I will read that for you:

"An act which has been passed by both Houses and given royal assent may be amended during the same session by the introduction of a new bill; but" — and this a key point, Mr Speaker — "no amendment can be made to a bill which has passed the Commons or both Houses and has not received royal assent."

We submit that this obviously has not received royal assent and clearly the government's arguments are not in order with respect to this.

In conclusion, the reality is the government is proceeding very quickly, is not thinking through what it is doing and therefore has created this mess we're now in.

Mr Wildman: The government House leader again finds comfort in the comments I made earlier, that I agree that amendments dealt with in a standing committee can be reintroduced and dealt with again in committee of the whole. Nobody is debating that.

The point is this: The government for some reason, I suspect it has to do with its experience on Bill 108, does not want to go into committee of the whole. If the government wants to amend Bill 149, then bring in a time allocation motion change and go into committee of the whole.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON THE OMBUDSMAN

Mr Trevor Pettit (Hamilton Mountain): I beg leave to present the fourth report, 1997, of the standing committee on the Ombudsman.

The Speaker (Hon Chris Stockwell): Does the member wish to make a brief statement? No.

INTRODUCTION OF BILLS

CITY OF BRAMPTON ACT, 1997

Mr Spina moved first reading of the following bill:
Bill Pr89, An Act respecting the City of Brampton.

The Speaker (Hon Chris Stockwell): Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."
All those opposed, please say "nay."
In my opinion, the ayes have it.

FAMILY LAW AMENDMENT ACT, 1997

LOI DE 1997 MODIFIANT LA LOI SUR LE DROIT DE LA FAMILLE

Mr Tilson moved first reading of the following bill:

Bill 169, An Act to amend the Family Law Act with respect to the rights of spouses in a matrimonial home /
Projet de loi 169, Loi modifiant la Loi sur le droit de la famille en ce qui concerne les droits des conjoints au foyer conjugal.

The Speaker (Hon Chris Stockwell): Is it the pleasure of the House that the motion carry? Carried.

Mr David Tilson (Dufferin-Peel): With this bill an unmarried spouse, as defined by the Family Law Act, will now be able to obtain an order for exclusive possession of the matrimonial home. Currently he or she does not.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): I move that, notwithstanding standing order 96(d), Mr Hoy and Mr Phillips exchange places in the order of precedence for private members' public business.

The Speaker (Hon Chris Stockwell): Is it the pleasure of the House that the motion carry? Carried.

DEFERRED VOTES

SERVICES IMPROVEMENT ACT, 1997

LOI DE 1997 SUR L'AMÉLIORATION DES SERVICES

Deferred vote on the motion for third reading of Bill 152, An Act to improve Services, increase Efficiency and benefit Taxpayers by eliminating Duplication and re-allocating Responsibilities between Provincial and Municipal Governments in various areas and to implement other aspects of the Government's "Who Does What" Agenda /
Projet de loi 152, Loi visant à améliorer les services, à accroître l'efficacité et à procurer des avantages aux contribuables en éliminant le double emploi et en redistribuant les responsabilités entre le gouvernement provincial et les municipalités dans divers secteurs et visant à mettre en oeuvre d'autres aspects du programme «Qui fait quoi» du gouvernement.

The Speaker (Hon Chris Stockwell): This will be a five-minute bell.

The division bells rang from 1402 to 1407.

The Speaker: All those in favour, please rise one at a time and be recognized by the Clerk.

Ayes

Amott, Ted
Baird, John R.
Barrett, Toby
Bassett, Isabel
Beaubien, Marcel
Boushy, Dave
Brown, Jim
Carroll, Jack
Chudleigh, Ted
Clement, Tony
Danford, Harry
Doyle, Ed
Ecker, Janet
Elliott, Brenda
Eves, Ernie L.
Fisher, Barbara
Flaherty, Jim
Ford, Douglas B.
Fox, Gary
Froese, Tom
Galt, Dog
Gilchrist, Steve
Grimmett, Bill
Guzzo, Garry J.
Hardeman, Ernie

Harnick, Charles
Harris, Michael D.
Hodgson, Chris
Hudak, Tim
Jackson, Cameron
Johns, Helen
Johnson, Bert
Johnson, David
Johnson, Ron
Jordan, W. Leo
Kells, Morley
Klees, Frank
Leach, Al
Marland, Margaret
Martiniuk, Gerry
Maves, Bart
McLean, Allan K.
Munro, Julia
Murdoch, Bill
Mushinski, Marilyn
Newman, Dan
O'Toole, John
Ouellette, Jerry J.
Palladini, Al
Parker, John L.

Pettit, Trevor
Preston, Peter
Rollins, E.J. Douglas
Ross, Lillian
Runciman, Robert W.
Sampson, Rob
Saunderson, William
Shea, Derwyn
Sheehan, Frank
Smith, Bruce
Spina, Joseph
Sterling, Norman W.
Stewart, R. Gary
Tascona, Joseph N.
Tilson, David
Tsubouchi, David H.
Turnbull, David
Vankoughnet, Bill
Villeneuve, Noble
Wettlaufer, Wayne
Wilson, Jim
Witmer, Elizabeth
Wood, Bob
Young, Terence H.

The Speaker: All those opposed, please rise one at a time and be recognized by the Clerk.

Nays

Agostino, Dominic
Bartolucci, Rick
Bisson, Gilles
Boyd, Marion
Bradley, James J.
Brown, Michael A.
Caplan, David
Carr, Gary
Castrilli, Annamaria
Christopherson, David
Churley, Marilyn
Cleary, John C.
Colle, Mike
Conway, Sean G.
Cordiano, Joseph
Crozier, Bruce

Cullen, Alex
Curling, Alvin
Duncan, Dwight
Gerretsen, John
Grandmaître, Bernard
Gravelle, Michael
Hampton, Howard
Hoy, Pat
Kennedy, Gerard
Kormos, Peter
Kwinter, Monte
Lankin, Frances
Laughren, Floyd
Lessard, Wayne
Marchese, Rosario
Martel, Shelley

Martin, Tony
McGuinty, Dalton
McLeod, Lyn
Miclash, Frank
Morin, Gilles E.
North, Peter
Patten, Richard
Phillips, Gerry
Pouliot, Gilles
Pupatello, Sandra
Ramsay, David
Silipo, Tony
Skarica, Toni
Wildman, Bud
Wood, Len

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 74; the nays are 47.

The Speaker: I declare the motion carried.

Be it resolved that this bill do now pass and be entitled as in the bill.

ORAL QUESTIONS

PROPERTY TAXATION

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Minister of Municipal Affairs. Property taxpayers are extremely worried. The bill that just passed dumps social services on to property taxes. I heard you

yourself on a radio interview say it's wrong to put these social services on to property taxes.

All the numbers you've produced show you are dumping \$660 million of new costs on to property taxpayers. David Crombie and Mike Harris's handpicked panel told you not to do that. The question is, we know you have one-time funds. Will you commit today to convert those one-time funds to permanent funds so that you are not dumping \$660 million of a new tax on to property taxpayers?

Hon Al Leach (Minister of Municipal Affairs and Housing): What the member from the Liberal Party fails to state is that we are giving \$2.5 billion in tax room by taking half of education off the property tax.

The funds he's talking about are permanent funds. We committed that we would have \$570 million in permanent funds available to assist those municipalities that need help. We said it would be there. We said the Who Does What trades would be revenue-neutral. They are revenue-neutral. There is no such thing as a tax increase that would result out of those trades. We have said that repeatedly. The funds are permanent, as I said, and we are taking \$2.5 billion of education costs off the property tax.

Mr Phillips: The numbers you have produced show you're adding \$660 million on to property tax. I want to follow up, because I think the bill you've introduced to gag municipalities tells the whole story. You have introduced a bill that tells local councils and municipalities that when they send out their notice for property taxes, when they are going to explain your downloading, they cannot put any message in there that you have not personally approved. You must personally approve all messages that go out in the property tax bill.

He's shaking his head. This is the bill, and the public should be aware that it says: "Contents must be used by the municipalities for taxing purposes...must be in the form approved by the minister. Any additional items would require the approval of the Minister of Municipal Affairs."

My question to you is this: Why are you gagging the municipal politicians when they want to inform their taxpayers of why the taxes are going up in their municipalities?

Hon Mr Leach: I have never heard anything so silly in my entire life. What we've asked —

Interjections.

The Speaker (Hon Chris Stockwell): Order.

Hon Mr Leach: Again, that is a ridiculous statement. There is absolutely no reason why any municipality in the province that wants to include information attached to the tax bill cannot do it. If they want to put on bar charts or graphs or letters or whatever they choose to do, it's within the power of the municipalities to do that.

What we've asked for is a uniform tax bill so that every municipality in the province would be able to compare numbers to numbers. But if they want to include additional information and include it with the tax form, they can do that. They can put any message they choose to put, any message, as they can do now.

Mr Phillips: You don't know what you're talking about. This is your own document, Minister.

Interjections.

Mr Phillips: The caucus should listen carefully to this. It says: "Any additional items would require the approval of the Minister of Municipal Affairs and Housing." Any additional items: That's exactly what —

Interjections.

The Speaker: The member for Scarborough-Agincourt.

Mr Phillips: Just so the public understands, this is the government information, what the government says: "Municipal tax bills: Any additional items would require the approval of the Minister of Municipal Affairs and Housing."

The fact is that no one trusts you any longer. No one trusts the Premier any longer; no one trusts you any longer. The question is this: Do you or do you not have the authority when this bill passes to approve any additional items that go out on the tax bill?

Hon Mr Leach: That's absolutely incorrect, 100% incorrect. We have asked for a uniform tax bill, there's no doubt about that, but there is nothing to stop any municipality in the province from putting any information that they choose to place with that tax bill. If they want to show charts, if they want to use bars, if they want to use narrative, whatever information any municipality wants to provide to their taxpayers with their tax bills is at their prerogative — anything. To insinuate that we're trying to stop a Hazel McCallion or a Mel Lastman from providing information to the taxpayer is just too silly to talk about.

1420

PUBLIC HEALTH

Mr Gerard Kennedy (York South): I have a question for the Premier. Mr Premier, I'd like to ask you today to stand accountable for the bill that you and some of your back bench just passed, Bill 152, and the impact that it has and what the overall —

Interjections.

The Speaker (Hon Chris Stockwell): Can I ask the government members to come to order, please. Thank you. Member for York South.

Mr Kennedy: Mr Premier, we need you to stand accountable for the Harris health system and the growing mess that you have created, including some of the measures that have happened today. The Premier has authorized a fundamental change in the health system by downloading public health, by getting rid of, in the face of the advice of experts, one of the essential components of our health system.

When Dr John Gray of the OMA says that water supply contamination, outbreaks of diseases like tuberculosis, hepatitis and meningitis may become difficult to track and treat under a fragmented system; when the Ontario Medical Association believes you are compromising the health and safety of Ontarians; when Dr Duncan Sinclair said to you last week in Kingston that the

move to get rid of public health is plain stupid, that it's the wrong idea and that bean counters have won the day, then it's time for you to stand accountable to the people of Ontario and explain why you're abandoning public health and pushing us back 50 years by dumping it on the municipalities. Premier, will you stand accountable?

Hon Michael D. Harris (Premier): I know the Minister of Health can explain.

Hon Elizabeth Witmer (Minister of Health): I just want to indicate that under the changes that have been made in the legislation, the mandatory programs for public health are going to include a more comprehensive listing than has existed in the past; in fact we will continue to set the standards and we will continue to ensure that those standards are going to be met.

Mr Kennedy: The minister had an opportunity in her first actions as new Minister of Health to strike a departure, to stand up for health care in this province. Every expert in this province talking about a vision or a future for health care says public health has to be there.

Minister, you say those mandatory programs are going to continue, but what won't continue is the money that used to fund them, 100% funding. For example, last week we were told, and all members should know this, the Sexual Health Network has said we're going to have problems with STD. Today we have heard from AIDS activists who say that Bill 152, which you've just allowed to pass, which you didn't intervene on, means that successful, integrated, community-based response to the AIDS epidemic is threatened.

Minister, tell us today how many people are working on enforcement of those standards that you're going to be putting into public health authorities in this province. How many people are working on them, so we can have confidence that these important services are going to continue?

Hon Mrs Witmer: The same number of people who have worked on those standards in the past will be working on them in the future.

I also want to indicate to you that if medical officers of health have a concern about issues in their regions, they have a responsibility to report on those concerns. As I indicated to you yesterday, the Ministry of Health is spending \$49 million on AIDS, and that doesn't include all the hospital visits, the drugs and the hospitalization. As you know, that is well in excess of the \$42 million that is being spent by the Canadian government. We are leaders in the field of what we are doing in the area of public health.

Mr Kennedy: The minister full knows that we were leaders until Bill 152 was passed. If you speak to your chief medical officer of health, you will learn there is not one person yet hired to deal with the enforcement of public health standards in this province — not one. There is no enforcement mechanism put together yet.

When you say to us that we have that kind of advancement, elsewhere in the country there has been a drop in terms of the average age affected by AIDS. Here we still have a general problem. The epidemic still has

significant issues. Needle exchange programs only exist in three of the municipalities that are coming together in Metro Toronto. There is a good likelihood these programs are going to be lost. These were 100% funded, guaranteed programs by the province.

Minister, stand today and tell us how you will ensure that these and other public health programs are not going to be lost, since you missed your chance and didn't oppose Bill 152 or have it changed to protect the health of Ontarians.

Hon Mrs Witmer: I have every confidence that public health is going to continue to be protected in Ontario. As I indicated to you, we will continue to set the standards. The public health employees will continue to be employed in the local municipalities and regions, as they have been in the past.

I just want to indicate to you, if I take a look at the mandatory programs for public health that have existed in the past and are going to exist in the future, they include a number of key sexual health issues such as family planning, sexually transmitted disease prevention and education and HIV-AIDS prevention and education. Boards are going to be obligated to comply with the mandatory programs listing for public health.

The Speaker: New question, leader of the third party.

EDUCATION FINANCING

Mr Howard Hampton (Rainy River): My question is to the Premier. On September 22 of this year, the day your Minister of Education introduced Bill 160 into this Legislature, the Minister of Education said that the new education funding formula would be available by the end of October. We are now into December, Premier, long past October, and we still have not seen your education funding formula. Can you tell us when the Minister of Education and Training is going to make the education funding formula available, including the education funding formula for the stub year, which begins in a mere four weeks?

Hon Michael D. Harris (Premier): That's a good question. Let's ask him.

Hon David Johnson (Minister of Education and Training): I wish to assure the leader of the third party that both those formulae will be ready soon. The ministry has been working very diligently, through a somewhat challenging period of time, I might say, over the past month and a half. But I'm sure in this House we would all agree that the key is to get it right, so the leader of the third party will be assured that both the funding, which is the stable funding for the stub year, plus the funding formula for the year beginning September 1, 1998, will be available in the very near future.

Mr Hampton: This is incredible. This is a government that says it cares about education. This is a government that says it wants to improve the quality of education. Yet the boards of education of this province still don't know what their budgets will be for the period between January and June 1998. What incredible incompetence.

We've talked with education finance officials and they've told us very clearly that what they've seen so far would be a \$220-million cut, an 11% cut for most boards across this province. Will you guarantee the parents, the students and the teachers of this province today that when you eventually provide that funding formula, it will not reduce the current school boards' operating budget? Will you make that guarantee?

Hon David Johnson: This government has made the guarantee of stable funding through the stub year, beginning on January 1 of next year through to the end of August, that there will be no cut in grants or taxes in the revenue associated with grants or taxes for the stub year. Stable funding, the same kind of funding the boards have today, would be carried through into the stub year right through until September.

Mr Hampton: I note the careful choice of words. The minister says, "the same kind." He doesn't say, "the same funding." He doesn't say the government will continue the current funding envelopes at the current rate. He merely says that the funding will be of the same kind. What people across this province are beginning to understand is that means a cut.

Let me review the situation again. The stub year begins in four weeks. You haven't told school boards how much money they're going to have. In another five or six weeks your government is going to set the tax rate for the education portion of municipal property taxes behind closed doors, and you haven't told anyone about that either. A mere five months later the new boards of education will be starting their first full fiscal year under the new funding formula without knowing anything about it.

Minister, what are you waiting for? Is the problem that you can't figure out how to make your funding formula work for students or teachers, or are the cuts so bad —

The Speaker (Hon Chris Stockwell): Thank you. Minister.

Hon David Johnson: The Minister of Education is working on this to ensure there is fair funding, recognizing the stable funding that's been guaranteed through to September of next year, through the stub year period, with no grant cuts and no tax cuts through that period of time. This is being worked with various officials from various boards. Those various officials have been communicating with the Ministry of Education employees. Their views are being taken into account. There was a consultation period earlier this year. The consultation input carries on. It's coming to an end in the very near future. The boards are being guaranteed their funding and it will be announced in the very near future.

1430

PROPERTY TAXATION

Mr Howard Hampton (Rainy River): I want to ask my next question of the Premier. I'm reading from your Bill 164, that portion of Bill 164 that will amend the Municipal Act and will essentially gag the municipalities, will essentially stop them from including detailed informa-

tion in their property tax notices about how your government is raising their property taxes.

Premier, what I don't understand is this: Why does your government want to gag the municipalities? Why do you want to have a section in the Municipal Act that essentially censors the municipalities, that stops them from communicating in the way that they would like to communicate, in a way that would be appropriate for them to communicate with their citizens? Why are you trying to do this?

Hon Michael D. Harris (Premier): Mr Speaker, I think the Minister of Finance — it's his bill, not mine.

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): Bill 164 does no such thing. It permits a standardized tax bill form to be sent out. It does not prevent any municipality in this province from including other information along with the tax bill.

Mr Hampton: I want to quote from this because what it says is, "A municipality shall not include other information on the notice" —

Hon Janet Ecker (Minister of Community and Social Services): Read the legislation then.

The Speaker (Hon Chris Stockwell): I appreciate the government member's assistance, but I think the leader has a pretty good idea about the question he wants to ask, so if you would just allow him to place it, this would work a lot better.

Mr Hampton: It says, "A municipality shall not include other information on the notice unless expressly authorized to do so by the minister." This is about censoring information. This is about stopping municipalities from providing information to their citizens and to their taxpayers.

Just to give the Minister of Finance an example, we understand that you're \$200 million short on funding for seniors' housing and social housing within the greater Toronto area alone. That's what the auditor pointed out in his recent report. Is that the kind of information you want to stop municipalities from getting out? Is that the kind of information you want to censor by means of this amendment?

Hon Mr Eves: Consistency in tax bills when we're undergoing assessment reform in Ontario makes perfect sense to me. There should be one standardized tax form for every municipality. But I repeat what I said in response to his initial question: There is nothing in the bill that prevents any municipality from including any other information it wants. It can't be on the form — he understands that, I think — but they can certainly put anything else they want in the envelope with the tax bill.

Hon Jim Flaherty (Minister of Labour): I don't think he gets it.

Mr Hampton: Oh, I get it. I get it very well. Some of the government backbenchers say that we don't get it. Well, we get it very well. The problem is this amendment doesn't talk about allowing municipalities to explain the tax situation. It says, "A municipality shall not include other information on the notice." It's very specific. This amendment —

Interjections.

The Speaker: Stop the clock. Minister of Community and Social Services, I'm not going to warn you again. Member for Durham East, I'm not warning you again. Will you come to order, please. I'm not kidding. Come to order.

Mr Hampton: The government has just forced through their downloading bill which will have the impact of downloading \$1.4 billion on municipalities. What I don't understand in a free and democratic society is, what does this government have against municipalities informing their citizens? Why do you want to stop them from including explanatory information on the tax bill? You know that citizens will read the tax bill. You know that citizens will go through that tax bill. Why are you trying to gag municipalities from including relevant information on that tax bill that will explain it is you who is raising taxes, that will explain it is you who is —

The Speaker: Minister.

Hon Mr Eves: There will be one consistent, transparent, understandable, standardized tax form in Ontario for all municipalities. I quote from the act. We're talking about the form of the notice. The sections you refer to all talk about what can be on the actual tax form, but there is nothing in the bill, and I repeat for the third time, that prevents every municipality in this province, if they want to, from including any kind of explanatory document, piece of paper, notification, whatever you want to call it, along with the standardized tax form. There is nothing that prevents that whatsoever. There is no censorship at all in that provision.

QUINTUPLÉES DIONNE

DIONNE QUINTUPLETS

M. Bernard Grandmaître (Ottawa-Est) : Monsieur le Premier ministre, laissez-moi vous situer. Le 28 mai 1934, une date à ne pas oublier, un miracle s'est produit à Corbeil en Ontario, tout près de chez vous. D'une pauvre famille francophone naissaient les quintuplées Dionne. En 1935, elles devenaient les enfants-tutelles du gouvernement de l'Ontario, un gouvernement libéral. Durant la période de tutelle, elles ont été totalement exploitées. On estime les retombées économiques aux quintuplées à plus de 500 \$ millions. Avec ces argents, la province a bâti Quintland.

Le 25 novembre 1997, vous avez refusé toute assistance financière. Quelles sont les possibilités de reconsidérer votre décision ?

Hon Michael D. Harris (Premier): The Attorney General will respond.

Hon Charles Harnick (Attorney General, minister responsible for native affairs): While the government is very sympathetic to the Dionnes, based on the facts it is very difficult to justify conventional compensation in this particular situation.

The government's responsibility for the Dionnes ended 53 years ago in 1944. Up until that time, all actions and accounts of the Dionnes' guardians were approved by the courts of the day based on the law that existed at that time.

Trustees were appointed by the courts; courts approved every account involved with the Dionnes. Certainly we have had discussions with representatives of the Dionnes and have conveyed this to them.

1440

Mr Grandmaître: I'm pleased that the Attorney General has spoken up on this issue, because the family has written to the Attorney General eight times and he never had the decency to return an acknowledgement. Today he's saying, "We're washing our hands."

I want to remind you of what the now Premier of Ontario said back in 1995: "If I'm in a position to be able to address this issue following the upcoming provincial election, I will do it." But then a year after, in 1996, he wrote, "As you have been informed, unfortunately, due to a busy schedule, I am unable to commit to a meeting at this time and I have therefore forwarded your request to the Attorney General."

Mr Attorney General, have you ever met with any member of that family?

Hon Mr Harnick: The Premier asked me to review this matter. We have communicated with representatives of the Dionnes. We have thoroughly researched the facts and law pertaining to this request. While I of course have the greatest sympathy for the situation —

Interjections.

The Speaker (Hon Chris Stockwell): Order. Attorney General.

Hon Mr Harnick: Certainly every action that has been taken has been based on the laws that existed 53 years ago. Trustees were appointed by the courts. Trustees' actions and accounts were approved by the courts of the day. That is why we have, in discussions with the Dionnes, offered to involve the Dionnes, and recognizing their place in history, by naming a research fund into children's issues in their honour.

We would very much welcome, as we've indicated to the Dionnes, input into the establishment of this fund, the creation of the fund, to do research into children's issues. That is something we would very much welcome.

The Speaker: New question, leader of the third party.

Mr Howard Hampton (Rainy River): I have a question to the Premier. I was part of the government you wrote to and you raised the issue of the Dionne children. We were a government that actually began to do some research as to what had happened. In that letter you stated that if you were to become Premier, you would do something to address the serious issues.

When we were the government we discovered that the previous governments of Ontario had put in place trustees who were supposed to look after the children. We know that the government of Ontario profited to a large degree from the notoriety that the Dionne children achieved.

Premier, what I want to ask you is this. You were an advocate for the Dionne children when you were leader of the third party. A lot of information has been discovered. What has changed your mind and the mind of your government?

Hon Mr Harris: I never advocated compensation. What I advocated was to take a look at it, investigate this, give it a thorough hearing and make sure an appropriate response is given. I asked the Attorney General to do that. The lawyers have done that. They've been in contact with lawyers and representatives of the Dionnes. Those responses have gone back to the Dionnes. We're still waiting to hear back, as I understand, the lawyers for the Attorney General to do it. I have fulfilled and honoured the commitment I made to the Dionnes.

M. Gilles Bisson (Cochrane-Sud): Monsieur le Premier ministre, vous avez du nerf — comme on dit en français, du front — tout autour de la tête. Vous avez dit durant votre temps dans la campagne de 1995 et avant que si vous étiez dans une situation pour aider les Dionne, vous seriez pour le faire. Vous êtes le premier ministre de la province. Vous êtes dans une position de les aider et vous refusez.

Monsieur le Premier ministre, on demande une autre fois : êtes-vous d'accord, allez-vous dire «oui» à mettre en place une enquête publique pour voir ce qui était arrivé aux fonds fiduciaires pour les quintuplées Dionne ?

Hon Mr Harris: I guess this is maybe the 500th call for a full-blown public inquiry into things. We are dealing with lawyers through the Attorney General, with lawyers and representatives of the Dionnes —

Interjections.

The Speaker: Order. Premier.

Hon Mr Harris: There have been very different suggestions as to what the requests have been in the paper. Anybody who reads the paper would notice significant contradictions. I read one article where they say, "We don't want compensation, we want an inquiry." Another one says the opposite of that. You're asking why we haven't given compensation. There's a lot of contradictory information out there.

I think this is a very sensitive issue. I have honoured my commitment to have a full look at it. We have not said no to looking at an investigation as to what happened. We have had the lawyers for the Attorney General look at whether there is any basis at all for taxpayers' money to now come forward, and we are following that legal advice.

The Speaker: New question, member for Grey-Owen Sound.

Interjections.

The Speaker: Member for Grey-Owen Sound.

Mr Bill Murdoch (Grey-Owen Sound): Thank you, Mr Speaker. Maybe I'll get a question. It's to the Minister of Northern Development and Mines.

Interjections.

Mr Murdoch: What can I do?

The Speaker: Order.

1450

NORTHERN HIGHWAY IMPROVEMENT

Mr Bill Murdoch (Grey-Owen Sound): As I said, my question is to the Minister of Northern Development

and Mines. A lot of us here have travelled the north quite extensively — I did with a lot of my fellow members — and we saw at first hand the deplorable shape that the highways were left in by both these governments over here, the deplorable shape that these governments left the highways in. I think, Mr Speaker, you might have been with us.

Interjections.

The Speaker (Hon Chris Stockwell): Member for Grey-Owen Sound.

Mr Murdoch: Thank you again, Mr Speaker. As I said, we witnessed at first hand the deplorable shape that both these governments left the highways in. This prompted the minister to put \$200 million in the last budget into the highways for the north. I would just like to ask the minister if he has kept his promise and done some work on the northern roads.

Hon Chris Hodgson (Chair of the Management Board of Cabinet, Minister of Northern Development and Mines): I'd like to thank the member for Grey-Owen Sound for his excellent question and having the courage to stand by it and to see that it was delivered.

I'm pleased to inform the member and the House that it is true that we are living up to another commitment. We've promised \$200 million in extra funding for northern roads over the next five years. During this past construction season alone, our government spent \$141.6 million on northern road improvement. I recognize that the opposition might not be interested in hearing this, given the fact that they left the roads in such a deplorable state in northern Ontario during their 10 years of government in this province, but this past year 36 projects were taking place. We saw the reconstruction of 532 kilometres of highways and repairs to 14 bridges. Northerners deserve that, and it's long overdue.

Mr Murdoch: I appreciate the answer, Minister, but I still, believe it or not, receive a lot of calls from a lot of the friends I have in the north because they feel they need someone down here to look after them. The members who are elected up there have a tough time doing that for some reason; I don't know why that would be. Would the minister give us some specifics on some of the places he's going to get some more of these projects done?

Hon Mr Hodgson: Again I thank the member for his excellent, insightful question. I'll just read off a few who will benefit from safer roads in northern Ontario for the members opposite who might want to refresh their memory, for those who have seen for the first time in years a record amount of money being spent in northern Ontario on highways.

In northeastern Ontario there were 20 reconstruction projects alone from May to August of this year. These projects included — I'll just list a few for the viewers at home and the members of the House — 66 kilometres of reconstruction of Highway 11 in the Tri-town area, 23 kilometres of reconstruction on Highway 66 from Kirkland Lake, 19 kilometres of Highway 17 to Espanola, the Abitibi River bridge on Highway 652 east of Cochrane.

In northwestern Ontario there were 16 highway reconstruction projects: 64 kilometres of reconstruction on Highway 17 from Wawa to White River, 36 kilometres of reconstruction on Highway 72. The list goes on and on with good news from the Harris government for northern Ontario.

CASINO WINDSOR

Mr Dwight Duncan (Windsor-Walkerville): My question is for the Minister of Economic Development, Trade and Tourism. The minister will be aware that on October 1 of this year, his predecessor and I had an exchange in the House with respect to an audit that is being conducted at Casino Windsor, the permanent casino site. The previous minister appointed that announcement in response to a number of concerns that had been expressed about potential cost overruns, allegations of cost overruns, at that site.

On October 1 of this year, your predecessor indicated to me in this House that the full content of that audit would be made public. Is it the minister's intention today to confirm that in fact the full audit that's being conducted at Casino Windsor's permanent casino site will be made public when it's completed?

Hon Al Palladini (Minister of Economic Development, Trade and Tourism): I certainly would like to thank the member for that question. There's no question that we are doing a very extensive audit; Price Waterhouse is conducting it on our behalf. I have not been privy to the information that has been derived from it, so nothing has really been shared with me, but I want to say to the member that we have a commitment as a government to make sure that the taxpayers of Ontario get full value for their money. If there are irregularities, I'm sure the audit will bring those out.

There are situations within that audit that we might not be able to share with the member or with the people of Ontario. I can only say to the member that once I have disclosure on the audit, certainly I will share it with my colleagues at the executive council level and see what can be done.

Mr Duncan: Today the minister's assistant was quoted in our local media as saying that in fact you will not release the full report. Minister, you may be aware by now that the city of Detroit has three casino initiatives coming on stream. We think the results of that audit should be made public so that the public can know that we're in a position to compete. Will the minister today agree to release the full results, and will you confirm that today in cabinet you and your colleagues approved the development of a second casino site on the so-called western anchor site that will include a theme park or at least some kind of tourist attraction? Will you tell the House today what your plans are to ensure that the revenue stream your Treasurer has projected from Casino Windsor will be in place in three years and that Windsor can continue to compete effectively and keep the casino dollars in Ontario?

Hon Mr Palladini: I share the member's optimism. I believe we are going to make a business case out of Windsor. There are certainly opportunities within the city of Windsor that the people of Windsor will benefit from. This government has full intentions of taking a look at how we can best come together and come up with a business plan that might facilitate an additional casino, certainly, but there are some things that we have to consider before we get to that point. I have every intention, along with some of my other colleagues, to get together with the people of Windsor to see how we can best facilitate that. So I'm certainly on your side.

EMERGENCY SERVICES

Mrs Marion Boyd (London Centre): My question is for the Minister of Health. I've just returned from a visit to Street Health, which is a health clinic for homeless people in downtown Toronto. The visit is part of our Dialogue for Change, which examines the effect of the Mike Harris cutbacks and crackdowns on real people in Ontario.

The street nurses and their clients asked me to raise with you today the plight of homeless people, who frequently lose their identification and their health cards because of the constant moves and the lack of security they experience.

As of January 1, 1998, your crackdown on health cards will mean that even emergency treatment is denied to those who have no health card. Doesn't that policy violate the Canada Health Act, which guarantees emergency health care to anyone living in Canada?

Hon Elizabeth Witmer (Minister of Health): I appreciate the question from the member opposite. I certainly want to indicate to you that health care will continue to be provided for those individuals. I continue to give you my assurance that this indeed will happen.

1500

Mrs Boyd: I hope, then, that the minister will explain to us how that is going to work. That certainly is not what is in the policy that was released by your predecessor. It certainly is not what the street nurses have been led to expect. They have been demanding a meeting with you to bring before you the serious situation faced by their clients.

We're talking about extremely vulnerable people who because of your cutbacks have mental and physical health problems that are already threatened by their lack of housing, by their inadequate nutrition and by their lack of security. Yet you're saying there's no problem.

Quite frankly, I just saw the lineup at the Street Health clinic of people who are desperate to try and get their identification. They need a birth certificate first, and we all know how long that takes and how much that costs. Then they have to wait for your ministry to issue a health card. They're under the impression because of the policy issued by your predecessor that they will not have emergency care. Will you explain to us how you are going to resolve this matter?

Hon Mrs Witmer: I just want to reiterate one more time that emergency treatment is not going to be denied to any individual. In fact, I'd like to quote from a letter that was written to the past minister. That is from Dr Bob Frankford, who is now with Seaton House. He says:

"The inability of homeless individuals to obtain health care because of lack of health cards has often been commented on. I would like to commend the ministry for coming to Seaton House recently to provide and make photo health cards available. Your staff were helpful and patient. The initiative was considered very successful."

I would just repeat again that we are in the process of ensuring and we are making every effort to ensure that those individuals have health cards, but I would also indicate to you that emergency health care will not be denied to any individual.

TRANSFER OF PROVINCIAL HIGHWAYS

Mr Doug Galt (Northumberland): My question is directed to the Minister of Transportation. The county of Northumberland, which is my riding, will be receiving several highways from the provincial government. They are concerned that these transfers appear arbitrary and unfair, as all highways in Northumberland except for the 401 will be transferred to the county. Can the minister explain to my county council the rationale used for deciding which highways would be transferred?

Hon Tony Clement (Minister of Transportation): I thank the honourable member for Northumberland for his question. As usual, he is sticking up for the rights of his community. But there has been a great deal of misapprehension about this issue and I welcome the opportunity in the House to set the record straight.

These decisions were not taken lightly and in fact they are not arbitrary nor are they unfair. This process was started by Mr Crombie. Mr Crombie and his commission originally identified some 9,000 kilometres of roads that serve primarily local rather than provincial traffic.

This determination was based on sound technical criteria that included the type and volume of traffic on the highway, the destination of that traffic, the existence of parallel provincial highways and the types of communities that the roads linked. The ministry then reviewed these 9,000 kilometres. I'm pleased to report that 3,400 kilometres of those highways are being transferred, and we commit to maintain a cohesive provincial network.

Mr Galt: Thank you, Minister, for that answer. The minister will also know that some of the municipalities receiving these transfers are concerned about the amount of compensation they will be receiving from the government. Can the minister please explain how the level of compensation has been determined?

Hon Mr Clement: I can tell the honourable member that this government is committed to dealing with municipal partners fairly and I believe that the compensation that will be paid to the municipalities is fair. We have set aside \$270 million as a one-time unconditional grant to municipalities receiving roads.

My ministry conducted a very thorough examination of the roads being transferred and identified any existing capital deficiencies that would need repair within the next five years. Based on this information, the municipalities were given the funding to help pay for those repairs and, in addition, were able to get funding for any maintenance work for a one-year period.

I can also tell the honourable member that additional funding is provided to those municipalities receiving a disproportionate increase in the size of the road system. I want to inform the honourable member that each compensation package contains an additional amount of money for contingency, to make sure that —

The Speaker (Hon Chris Stockwell): New question, official opposition.

HOSPITAL RESTRUCTURING

Mr Dominic Agostino (Hamilton East): My question is to the Minister of Health. Minister, your health services destruction commission steamrolled into Hamilton last week and devastated programs and facilities for seniors, the disabled and the mentally ill. You will close the psychiatric hospital, St Peter's and Chedoke.

Minister, these recommendations are going to abandon many of our most vulnerable citizens, but particularly it's your attack on the mentally ill, people who use psychiatric facilities, that is going to be absolutely devastating to our community.

You have offered token Monopoly money at this point for the services that are now provided at the Hamilton Psychiatric Hospital. Your commission has recommended that the services be done at St Joseph's in Hamilton. However, the funding commitment does not match the need. You are currently providing \$44 million for operating costs for those services at the Hamilton Psychiatric Hospital. The recommendation for these same services at St Joseph's is \$25 million, a shortfall of \$19 million.

Minister, will you guarantee today the same amount of funding for those programs at St Joseph's that —

The Speaker (Hon Chris Stockwell): Thank you, Minister.

Hon Elizabeth Witmer (Minister of Health): Yes, you're right. The ministry did receive the interim report from the Health Services Restructuring Commission, as you know, and the commission recommended some changes. It also recommended some significant reinvestment in the Hamilton-Wentworth community and we are now awaiting the final recommendations. As you know, there is an opportunity now for those who reside within the boundaries of Hamilton-Wentworth to respond to the commission's report, and they have until January 5, 1998, following the final report we receive from the Health Services Restructuring Commission. Then we'll have an opportunity to move forward and make the implementation possible. I can assure you we will move forward in such a way that we will address the needs of the Hamilton-Wentworth community.

Mr Agostino: Minister, your commission and your former minister have always worked on the basis that the money taken out of one service would be guaranteed and reinvested back into that same facility or service, in Hamilton or any other community. You are now shortchanging us \$19 million. The president of St Joseph's Hospital, Allan Greve, said, "The moneys allocated to support the services presently done by the Hamilton Psychiatric Hospital are insignificant."

The evidence is clear. The mayor has come out and expressed concern as to what's going to happen. You are abandoning individuals in our community who need psychiatric care. You're offering token Monopoly money right now that doesn't come close. I'm shocked that you would not stand up today and guarantee that the same money will be given to services. You are also recommending housing the criminally insane, people going in for an assessment, in an acute care hospital, in St Joseph's Hospital.

You're doing this with a \$19-million shortfall. You will not be able to guarantee the safety of those patients and the patients in the acute care hospital. You cannot guarantee the safety of the community because you're not giving the hospital the money to run those programs. Again I ask you, Minister, will you guarantee now that St Joseph's will receive the \$44 million presently allocated to the HPH to run those same programs?

Hon Mrs Witmer: I think it's very important to understand that the initial directives we have received from the Health Services Restructuring Commission are interim directives. Obviously the community now has an opportunity to make a response. As I indicated to you, that is going to occur on January 5, 1998. However, I personally want to assure you that there are no plans whatsoever to close any of the facilities until we are sure we have the appropriate spaces in place.

I also want to indicate to you that I can appreciate your concerns regarding the mental health and psychiatric services that are going to be needed in your community, but I have indicated that we will be embarking on a comprehensive review of mental health services in Ontario and we will certainly be taking into consideration your concerns and the concerns of everyone else.

1510

CHARITABLE GAMING

Ms Frances Lankin (Beaches-Woodbine): My question is to the Minister of Economic Development, Trade and Tourism. Minister, this morning you said to the media that no community would get a charitable casino if it didn't want one.

I know you're aware that in my community of Beaches-Woodbine, through extensive consultation, the community has indicated its opposition to a charitable casino and also to the expansion of video lottery terminals. They participated in a referendum along with the rest of the citizens in the municipality of Toronto, who said no to

those two items, as did communities in municipality after municipality by referendum.

I've asked members of your government what action you will take. The member for Scarborough Centre, for example, on a CBC panel gave an assurance that he believed your government would respect those referendum results.

Your government decided to have these charitable casinos and force them on to communities. Now the communities and the people have said no. Will you take action to stop all process on the development of casino proposals with the proponents that you have awarded those contracts to?

Hon Mr Palladini (Minister of Economic Development, Trade and Tourism): I did say that, but I would like to turn the question over to my colleague Minister Tsubouchi.

The Speaker (Hon Chris Stockwell): Once you've said, "I did say that," you've got to answer the question.

Hon Mr Palladini: I just want to say to the honourable member, I certainly did say what I said this morning. To my understanding, the municipality certainly has the right to say no to a charitable casino, so I stand by what I said.

The Speaker: Supplementary.

Mr Tony Martin (Sault Ste Marie): The gambling strategy gets more interestingly bizarre with every day that goes by. First the Premier says, "No more casinos until we have a province-wide referendum," then, boom, out of the blue we have 42 charitable gaming casinos imposed on communities. Then communities have their own referendum and they say no, yet you still continue to say that you're going to impose them.

My own community had a referendum on a full-scale commercial casino. They said yes. The municipality said no to your charitable scheme, yet you won't come across with what they want.

What is your strategy? Where does democracy come into this picture? What does the voice of the people mean? Will Sault Ste Marie get a full-scale casino or will you impose the smaller charitable-type casinos on every community across this province against their wishes?

Hon Al Palladini: Mr Speaker, I would like to turn this question over to the Minister of Consumer and Commercial Relations.

Hon David H. Tsubouchi (Minister of Consumer and Commercial Relations): I thank the member for an opportunity to respond, certainly to the first part of the question. We've been very consistent in terms of what we've said. We've said we wouldn't force any community to take a charity gaming club if they didn't want one, but we've also been very clear and consistent as well by saying that any plebiscites or any of the referenda that took place over the last several months were really information for the local councils.

We've agreed to abide by the wishes of the council. We hope as well that the councils embark upon having full information about what we are doing. This includes communicating with all the various parts of their community, which means of course the ratepayers in their community,

the charities and the local BIAs, to make sure they will truly reflect what their communities want.

It's also very important for them to understand the consequences as well. Clearly, at the end of March of next year, the three-day rovers are going to cease to exist because they have not worked. We want to implement a new accountable —

The Speaker: Thank you, perfect; right on time.

PETITIONS

EDUCATION REFORM

Mrs Lyn McLeod (Fort William): I have a number of petitions I present to the Legislative Assembly of Ontario.

"Whereas the provincial government, through Bill 160, has continued to undermine the democratic functions of the Ontario Legislature by removing decision-making from the legislative process to the regulatory powers of cabinet;

"Whereas the provincial government has ignored the majority of public opinion against Bill 160;

"Whereas the provincial government, in an act of vindictiveness against teachers who protested against Bill 160, has introduced amendments to remove principals and vice-principals from their federations and thereby deny them collective bargaining rights;

"Whereas it is clear that the government's agenda is to cut at least \$667 million from education spending and further undermine public education;

"We, the undersigned, petition the Legislative Assembly of Ontario to conduct a vote of non-confidence in the Ontario government and to call for a provincial election."

Once again, these petitions are signed by literally hundreds of concerned citizens, and I affix my signature in full support.

CHARITABLE GAMING

Ms Frances Lankin (Beaches-Woodbine): This is a petition to the Ontario Legislature.

"To Premier Mike Harris, Minister William Saunderson, and members of the Ontario Legislature:

"Whereas Mike Harris during the 1995 election promised voters he would not allow more casinos without holding a community referendum;

"Whereas Mike Harris's Conservative government of Ontario has designated the Beaches community as one of 36 new permanent charity casino sites without holding a referendum;

"Whereas Mike Harris says these permanent casinos are simply replacing roving charity casinos;

"Whereas roving charity casinos can only be set up for a maximum of three days, can't stay open all night, have no more than 30 tables and take a maximum bet of \$10. On the other hand, the new casinos are permanent,

operating 24 hours a day, seven days a week, 365 days a year, with 40 tables, 150 video slot machines and maximum bets of \$100;

"Whereas Mike Harris dismisses concerns, saying the total number of gaming days in Toronto won't change;

"Whereas the nature of gambling will change dramatically with the introduction of the highly addictive video slot machines and much higher dollar volume operations, it being evident by the government's estimate that the new permanent casinos will see about \$1 billion a year wagered;

"Whereas Mike Harris says the new permanent casinos will be safer and more accountable;

"Whereas at the Windsor casino extra law enforcement resources were provided by the province and the Harris government has made no such commitment for the new casino in the Beaches;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to cease any bids for the Beaches casino site, to fully consult with the community, and not to force a casino site on the community against its wishes."

I am in full support and affix my signature.

ABORTION

Mr John O'Toole (Durham East): I have a very unusual petition to present to the House today and it's from the parishioners at St Joseph's church in Bowmanville. They've signed the white ribbons against pornography and sent them to me asking to present them to the House.

"To the Parliament of Ontario:

"Whereas pregnancy is not a disease, injury or illness; and

"Whereas abortion is not therapeutic; and

"Whereas abortion is never medically necessary; and

"Whereas the Canada Health Act does not require elective procedures to be funded; and

"Whereas there is no right to publicly funded abortion; and

"Whereas it is the responsibility and the authority of the province exclusively to determine what services will be insured; and

"Whereas there is mounting evidence that abortion is, indeed, hazardous to women's health; and

"Whereas the availability of abortion at public expense leads to the use of abortion as a means of birth control; and

"Whereas Ontario taxpayers funded 45,000 abortions in 1993 at an estimated cost of \$25 million of taxpayers' money;

"We, the undersigned, petition the Parliament of Ontario as follows:

"That the Ontario provincial government remove abortion as a service or procedure covered under the provincial Health Insurance Act."

On behalf of members of the parish, I'm pleased to present and sign this petition.

EDUCATION REFORM

Mr Frank Miclash (Kenora): I have a petition that's signed by hundreds of constituents throughout the Kenora riding. It reads:

"To the Legislative Assembly of Ontario:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"As parents, grandparents and community members, we recognize all our children deserve the highest-quality education. Bill 160 is not in the best interests of our children.

"We, the undersigned, recognize that whereas Bill 160 does not enhance the quality of education, it only facilitates the government's power grab; and

"Whereas our community members promote children first; and

"Whereas Ontario teachers have the best interests of our children at heart;

"Be it resolved that the passage of Bill 160 be delayed while the government works together with educators, boards of education, parent councils and concerned citizens through the democratic process to achieve an educational system that truly benefits our children and preserves local autonomy."

I've attached my name to that petition as well.

1520

IPPERWASH PROVINCIAL PARK

Mr Bud Wildman (Algoma): I have a petition signed by approximately 120 residents of Toronto, London, Sarnia, Stoney Creek, and other communities in southern Ontario. It's addressed to the Legislative Assembly of Ontario.

"Whereas many questions concerning the events preceding, during and after the fatal shooting of Anthony Dudley George on September 6, 1995, at Ipperwash Provincial Park, where over 200 armed officers were sent to control 25 unarmed men and women, have not been answered;

"Whereas the officers involved in the beating of Bernard George were not held responsible for their actions;

"Whereas the Ontario Provincial Police refused to cooperate with the special investigations unit in recording the details of that night;

"Whereas the influence and communications of Lambton MPP Marcel Beaubien with the government have been verified through transcripts presented in the Legislature;

"Whereas the trust of the portfolio of native affairs held by Attorney General Charles Harnick is compromised by his continued refusal for a full public inquiry into the events at Ipperwash;

"Whereas the promised return of Camp Ipperwash to the Stony Point Nation by the federal Ministry of Defence and the serious negotiations of land claims by both the

provincial and federal governments could have avoided a conflict;

"We, the undersigned, petition the Legislative Assembly of Ontario that a full public inquiry be held into the events surrounding the fatal shooting of Dudley George on September 6, 1995, to eliminate all misconceptions held by and about the government, the OPP and the Stony Point people."

I support the call for an inquiry into the tragic events.

EDUCATION REFORM

Mr Ernie Hardeman (Oxford): I have a petition to the Legislative Assembly of Ontario.

"Whereas we, the students of College Avenue Secondary School, disagree with Bill 160 to the fullest extent; we are having no say in our education and in our futures. To say that we do have is having little to no impact on government officials. We would like the government to listen to the students of Ontario and to take into consideration that it is our lives that they are dealing with. The government needs to understand that our education is crucial. We care about our education and futures and therefore need some say as to where they are going. We would like the government to take this seriously. We strongly urge you to listen to the students and to vote no against Bill 160."

It's signed by 150 of the students of College Avenue Secondary School in my riding.

Mr Bruce Crozier (Essex South): I have a petition sent to me by OSSTF District 1. Notwithstanding the fact that Bill 160 has passed, their voices should be heard.

"To the Legislative Assembly of Ontario:

"Whereas Bill 160 is detrimental to our education system we, the undersigned, petition the Legislative Assembly of Ontario as follows: That Bill 160 should not be passed."

It's signed by parents and students of Essex South.

Mr Wayne Lessard (Windsor-Riverside): I have a petition to the Legislative Assembly of Ontario. It says:

"Whereas Bill 160 is detrimental to our education system we, the undersigned, petition the Legislative Assembly of Ontario as follows: That Bill 160 should not be passed."

I add my name to that petition.

COURT DECISION

Mr Bob Wood (London South): I have a petition signed by 162 people.

"Whereas the courts have ruled that women have the lawful right to go topless in public; and

"Whereas the Liberal government of Canada has the power to change the Criminal Code to reinstate such public nudity as an offence;

"We, the undersigned, respectfully petition the government of Ontario to pass a bill empowering municipalities to enact bylaws governing dress code and to continue to

urge the government of Canada to pass legislation to reinstate such partial nudity as an offence."

EDUCATION REFORM

Mr John O'Toole (Durham East): I am pleased to present a petition for the member for Durham West, Minister Ecker. This is from a teacher at the Scarborough Board of Education, a petition against Bill 160, the Education Quality Improvement Act, to the Legislative Assembly of Ontario. It's a properly and duly filled out form. I'm pleased to present it to the House today.

Mr David Ramsay (Timiskaming): To the Legislative Assembly:

"Whereas we wish it to be known that we are in total disagreement with Bill 160; furthermore, we believe that our government was based on a democratic system, not a dictatorship;

"We, the undersigned, petition that a referendum be held concerning Bill 160: Be it resolved that the Legislative Assembly instruct the Minister of Education and Training to hold a referendum concerning Bill 160."

I've affixed my signature to this petition.

Mr David Christopherson (Hamilton Centre): I would ask you, Speaker, to consider the rotation that just took place. I think something may have gone out of order. I'd ask you to review that if you would.

I have a petition regarding Bill 160, similar to the ones I've introduced before. These are another thousand citizens. It was coordinated by Liz Ruffell and Donna Bandow. The petition reads as follows:

"We, the undersigned citizens of Ontario, ask you, Mr Dave Johnson, Minister of Education, to withdraw Bill 160 on the grounds it is flawed legislation that will lead to flawed education and (a) allow uncertified teachers to teach in the classroom; (b) cause a loss to kids of thousands of teachers and increase class sizes; (c) reduce teacher preparation time, which translates into less teachers and less time for students; and (d) allow the provincial government to set the educational tax rate without provision for debate in the Legislature or at the local school board level."

I add my name to these thousands of Hamiltonians.

Mr Harry Danford (Hastings-Peterborough): I have a petition here on behalf of many of my constituents regarding their concerns about education in Ontario.

PAY EQUITY

Mr Michael Gravelle (Port Arthur): I have a petition to the Legislative Assembly of Ontario.

"Whereas the current pay equity legislation affects Red Cross differently than any other provider of homemaker services in Ontario and makes it impossible for the Canadian Red Cross Society to compete on a level playing field;

"Whereas without a resolution, the Canadian Red Cross Society will be forced to increase wages and benefits, already the highest in the industry, by approx-

imately 45% January 1998. The program cannot afford this increase;

"Whereas Red Cross provides 80% of the service in rural communities, and in 29 communities Red Cross is the only service provider;

"Whereas clients in many communities will be left to cope on their own and some 6,000 homemakers and 400 office staff, most of them women, will lose their jobs;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We are very concerned about the Red Cross pay equity issue. We are asking the three party leaders to put people before politics and come together in a non-partisan effort to resolve the homemaker services pay equity problem."

I am pleased to add my name to this petition.

LONG-TERM CARE

Ms Shelley Martel (Sudbury East): I have a petition addressed to the Lieutenant Governor and the Legislative Assembly of Ontario. It reads as follows:

"Whereas the provincial government is abandoning its responsibility to provide good care for people who live in long-term-care facilities by defunding and deregulating the sector; and

"Whereas the resulting staff shortages lead to loss of quality care, decreased resident security and more workplace injuries; and

"Whereas the selloff to for-profit operators of the care for our frail elderly residents raises questions about accountability, accessibility, working conditions and quality of care and pits frail residents against profits; and

"Whereas the provincial government has a responsibility to ensure that funding, staffing and standards provide a level of care which promotes dignity and respect for those who live and work in long-term-care facilities;

"We, the following undersigned citizens of Ontario, beg leave to petition the Parliament of Ontario to provide adequate funding for the care of residents in long-term-care facilities, to establish and enforce provincial standards for care in Ontario long-term-care facilities and to impose a moratorium on the selloff of care for vulnerable residents to the for-profit sector."

This is signed by 60 citizens of the province. I agree with the petitioners and I have signed my name as well.

PAY EQUITY

Mr Ron Johnson (Brantford): I have a petition here from a number of concerned residents in my riding. It's addressed to the Legislative Assembly of Ontario.

"We, the undersigned, petition the Parliament of Ontario as follows:

"We require a resolution to the pay equity issue for Red Cross homemakers in Ontario."

I am pleased to affix my signature.

CHIROPRACTIC HEALTH CARE

Mr Michael A. Brown (Algoma-Manitoulin): I have a petition to the Ontario Legislature.

"Whereas the Ministry of Health has recently strengthened its reputation as the ministry of medicine through its \$1.7-billion three-year agreement with the Ontario Medical Association; and

"Whereas the Mike Harris government is restricting access to alternative cost-saving treatments for patients of the province; and

"Whereas two recent reports commissioned by the Ministry of Health called for increased OHIP funding to improve patient access to chiropractic services on the grounds of safety, effectiveness and cost-effectiveness; and

"Whereas over one million Ontario adults now use chiropractic services annually, increasingly those with higher incomes, because of the cost barrier caused by government underfunding; and

"Whereas the Mike Harris government has shown blatant disregard for the needs of the citizens of Ontario in restricting funding for chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to recognize the contribution made by chiropractors to the good health of the people of Ontario, to recognize the taxpayer dollars saved by the use of low-cost preventive care such as that provided by chiropractors and to recognize that to restrict funding for chiropractic health care only serves to limit access to a needed health care service."

This petition is signed by a large number of constituents, mostly from the Espanola-Massey-Spanish area, and I'll affix my signature.

1530

The Acting Speaker (Mr Bert Johnson): I just wanted to address a comment to those who were giving petitions. The member for Hamilton Centre will be particularly interested in this. You made a statement and I didn't want it to go unchallenged. I did make a rotation. There was no one standing up. I made another rotation. I called on the member who had indicated that he had had one before. He wasn't standing up, and there was someone standing over here. You may have thought that I had not followed in rotation. No one from either of the parties here was standing and so I didn't recognize them.

Mr David Christopherson (Hamilton Centre): Mr Speaker, I just want to thank you for agreeing to review it. That is what I requested and I accept your explanation.

ORDERS OF THE DAY

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): Government notice of motion number 54.

TIME ALLOCATION

Mr Bud Wildman (Algoma): Mr Speaker, I rise on a point of order regarding the time allocation that has been called by the government House leader for debate this afternoon. I have given you some written explanation of my concern. This motion time-allocates debate on Bill 161, a bill that's related to Bill 160, the education bill that was passed yesterday by the government majority. I draw your attention to the motion, which says, "...when Bill 161 is next called as a government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment, and at such time the bill shall be ordered for third reading."

Then it says, "...third reading of the bill shall then immediately be called and the remainder of the sessional day shall be allotted to the third reading stage of the bill."

You'll note, Speaker, that this time allocation motion appears to allow for two things that violate the standing orders of the Legislature: first, that the bill be allowed to pass two stages in one sessional day. This is in direct violation of standing order 78(b), which reads, "A bill shall not pass more than one stage on one day if opposed by 12 members standing in their places." This time allocation motion does not allow the House to be tested in the manner set out in standing order 78(b).

Second, the time allocation motion allows no opportunity for amendments to be made to Bill 161. In my recollection, this has never been done before in this place.

Our standing orders allow for all bills to pass through either a standing committee or committee of the whole House in order that they may be scrutinized and changes or amendments made to them if necessary. How can members of the assembly who may have proposed changes to this bill, which our party does have, submit them for consideration?

For instance, this bill allows for the payment of \$40 a day to parents who have children 13 years of age or younger in the school system in Ontario without any receipts. Obviously, that is one of the amendments that we would have liked to put to the bill. If the government is serious about wanting to reimburse parents for costs incurred, we would like to know that those costs actually were incurred. Accountability, I think, calls for that. So our caucus wanted to put an amendment.

Other amendments we would have considered with regard to the provisions of the bill deal with how individual members of federations are to be protected.

This, in our view, is a serious violation of the rights of the members to scrutinize legislation in committee and to present amendments for debate even under time allocation. We believe this is a right of MPPs that is entrenched in the standing orders.

Beauchesne states that each stage of a bill — first reading, second reading, committee, report and third reading, all these stages — performs necessary functions. I refer you, Speaker, to page 195 of Beauchesne.

The function of the committee stage is to consider the details of a measure and propose amendments. The

function of the report stage is used to amend specific clauses. The function of the third reading stage is to review the bill in its final form after, and I quote from Beauchesne, "the shaping it has received in its earlier stages."

Interjection.

Mr Wildman: The member from Scarborough is giving a treatise on my comments.

This time allocation motion is the latest evidence that this government wants to curtail debate on important legislation and use essentially anti-democratic tactics to achieve their end in passing legislation quickly.

I ask the Speaker to review and rule on this point of order before the debate proceeds this afternoon.

Mrs Lyn McLeod (Fort William): Mr Speaker, further to the point of order — and I appreciate the member for Algoma having sought a way in which to present the concerns as a point of order which can be subject to your review — the fact that this bill is now being time-allocated and that there will be no opportunity for amendment and no opportunity for discussion on a clause-by-clause basis I think is cause for very real concern perhaps in two particular respects.

One is that the bill contains what is commonly known as a basket clause. You will understand that there have been a great many public questions raised about exactly how this payment to families is to work. As the member for Algoma has indicated, there is a real concern about the non-receiptability. There are amendments that would be considered in clause-by-clause to clarify the way in which the payment is to work. It's quite clear that the government itself has not given sufficient consideration to how to make this work, because the basket clause exists and it's a clause that gives the Minister of Education and Training the power to issue such directives to boards and establish such procedures as he or she considers advisable to carry out the intent and purposes of this section.

Quite clearly, this is a basket clause that would be subject first to clarification and secondly to amendment. We have, as an opposition party, been extremely concerned about the granting of broad, sweeping general powers to act through regulation.

The second area which continues to be a public concern raised as recently as this morning is the unanswered question of costing of the payment and who is responsible for the costing. It has been indicated that it will be public and separate school boards that will be responsible for the costs. They are concerned about cost overruns and the effect of any cost overrun on their operating budgets. Of course, with no longer any taxing power, they simply do not know where the dollars will come from. I think that's an important question that has to be asked.

All of these issues would have been addressed in a committee hearing or clause-by-clause consideration of the bill.

Mr James J. Bradley (St Catharines): There is a growing concern in this House, and I suspect outside of this House, that we are starting to have the government of the day trying to circumvent what we feel would be the

normal procedures. You heard an earlier argument today, which I won't repeat, on Bill 164, where we felt the government was trying to do by the back door what it should have been doing by the front door; in other words, bringing in another bill to amend two controversial bills they did not want to send to committee of the whole.

Now we have a circumstance which clearly violates what my understanding of the spirit of the rules of this House is, and I believe probably the letter of the laws of this House or the procedures of this House, even under the changed rules brought in by this government.

One that we have to deal with is that I can't think of any time where we've dealt with two stages of a bill in one day without consent. There has always been consent of the House when that's the case. Some days there have been three readings in one day, but it has always been with consent, to give that time for due consideration.

1540

The second is to remove all ability to offer amendments to legislation, which I think is important. If you don't have an amending stage, then the government doesn't have time to reflect on anything in a piece of legislation, the public input that comes in. When you have a piece of legislation of this kind, the public tends to, even on an unsolicited basis, send in information and helpful hints to government and opposition as to how legislation can be amended, changed or improved. This time allocation motion is going to deny that opportunity to members of the House, and indirectly to members of the public.

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): My contention, of course, is that this time allocation motion is within the standing orders of the Legislature. This is not anti-democratic in any way, shape or form. The standing orders clearly give the majority of the Legislature the authority to either send a bill through the committee process, to the committee of the whole House, or not. That is clearly within the standing orders for us to decide or not to decide as a majority of the House. If in fact the majority of this House felt that this should go to the committee of the whole House or to a standing committee, then they would vote against this particular time allocation motion.

During the second reading of this bill, none of the concerns raised today by the opposition House leaders and opposition members, or very few of them, were raised during the debate on Bill 161. In fact, the debate centred around another bill, Bill 160.

This bill is a relatively short bill with I believe about 13 sections in it. We do not believe as a government that each and every piece of legislation must go through the committee process, particularly bills which are relatively short and relatively straightforward in terms of their focus and their direction.

I would like to turn now to previous occasions, and I refer to Speaker Warner's ruling on Bill 150 in 1992. In 1992, on Bill 150 it was moved that "the Speaker shall put the question forthwith on the motion, which question shall be decided without amendment or debate." That motion was unprecedented at the time. It provided for no further debate with regard to third reading and there was a vote

required immediately by the Legislature. There was no time allowed during the time allocation motion for debate, so we had a time allocation motion in which there was no time between when the motion was made and a particular vote was taken.

Speaker Warner ruled that the motion was in order for the following reasons: Standing order 46 requires written notice and a full day of debate on a motion and makes no mention of a minimum time requirement for third reading debate on a bill. The closure motion moved under then-standing order 45 can be moved without notice, can be moved by any member and is non-debatable. A time allocation motion under standing order 46 can be moved only by a government minister upon written notice and provides a certain measure of balance. While it doesn't provide for minimum debate on third reading, it does specify that a motion cannot be moved until there have been at least three days of debate at second reading. We have had three days of debate at second reading on Bill 161.

Speaker Warner concluded, quoting from the 21st edition of Erskine May at page 409:

Time allocation "may be regarded as the extreme limit to which procedure goes in affirming the rights of the majority at the expense of the minorities of the House, and it cannot be denied that they are capable of being used in such a way as to upset the balance, generally so carefully preserved, between the claims of business and the rights of debate."

The provision of the time allocation tabled and ready to be debated this afternoon as well — and I believe the House leader for the third party talked about another standing order — talks about this particular one, our time allocation motion today which, as filed with you, says, "...notwithstanding any other standing order or special order of the House." Mr Speaker, it is my contention and our contention that this bill falls within the standing orders.

I'd also like to draw your attention to a precedent in the House of Commons, in their Journals, where there is a precedent with regard to where a time allocation deals with more than one stage of the bill. This was in 1971, and I'm referring to 1013 in the Hansard Journals of the House of Commons. At that time there was a time allocation motion for the reporting stage and third reading in one day. In that motion it set conditions and exact times for those motions and the extension of new motions and when those votes would be called. I believe that concludes our contentions that this time allocation is in order. We're ready to debate it.

Mrs McLeod: On a point of privilege, Mr Speaker.

The Speaker (Hon Chris Stockwell): Is this a point of privilege?

Mrs McLeod: Yes it is, Mr Speaker.

The Speaker: I've got to deal with the point of order first. You do take it. But I don't take it in the middle of a point of order. I'll take it immediately following it. Member for Algoma.

Mr Wildman: On a point of order, Mr Speaker: The government House leader is arguing a very novel

argument that if a majority of the members of this House wish this bill, Bill 161, to go to committee, they should vote against this motion. That's a very odd approach. All time allocation motions that we've had in the past in this House have allowed for some sort of committee consideration for amendment.

To suggest that in this particular case you can't have a committee unless you vote against the time allocation motion is quite novel and unusual. I just refer again to standing orders 71(b) and (c), where it allows for, in the new rules this government brought in, bills to go to committee or to committee of the whole for consideration and amendment and even allows for 12 members to stand in their place to refer a bill to a standing or select committee.

Surely it is quite unprecedented for the government to introduce a time allocation motion which does not allow for any amendments. This is the first time we've ever had that I'm aware of where the government has argued that it is perfect and it cannot make any mistakes in the drafting of legislation and therefore doesn't need to consider any amendments. Surely the government is not that arrogant.

We've seen over many, many pieces of legislation the need for the government to amend its own legislation. This is the first time we've had this kind of a presentation to us, and I think it's quite unacceptable that we should not be able to have at least the opportunity to propose some amendments that would improve this legislation for the benefit of the people of Ontario.

The Speaker: I'd like to thank all the members today for their submissions today with respect to the point of order. Basically I see two points of order: one with respect to the amendments and the second with respect to the standing orders and dealing with the two particular processes in the same day.

With respect to the amendments, let me just say I can cite you dozens of examples — and I think even the opposition members would know — of where this House has dealt with a bill in order and not had it sent anywhere for amendments. This would not be what I would consider to be precedent setting with respect to dealing with a bill before this House. Therefore I don't find that a particularly compelling argument with respect to the amendments.

1550

With respect to the time allocation motion, the difficulty I am faced with at this time, and it's a very, very problematic situation I find myself in, and I read through the books and I hear all the examples and I will do it again today, but as you read through these — you understand that they were written some time ago.

I'll do it with the first journal entry I have here. This is Erskine May:

"The House has adopted the standing orders, which are permanent rules for the guiding and the control of the House in the conduct of its business. The standing orders do not form a complete code of procedures for the House to discharge its functions. They may be supplanted from time to time by sessional orders or special resolutions to facilitate the progress of business through the House."

If you see that, "They may be supplanted from time to time by sessional orders or special resolutions," in essence you may have a time allocation motion that can supplant your standing orders. When this was written, I think that was a fairly interesting argument. It says, "...from time to time." The difficulty you're faced with is that it's no longer from time to time; it's on a fairly routine basis. I think we'll all admit that. I don't think I'm speaking out of any outrageous side to suggest that it's a fairly routine proceeding to go with time allocation.

I say not on any government's list; I think we can all remember back to days in all three parties' being when time allocation motions were introduced and dealt with on a fairly routine basis. So when I review the context of what I measure my decisions by, it is somewhat difficult at times to rationalize this or at least square that circle.

"Standing orders are not safeguarded by any special procedure against amendment, repeal or suspension. They are passed by a House by a simple majority and may be altered, supplanted or deleted by a simple resolution in the same way." So in essence your standing orders are there but they can be changed by a simple majority of this House. At whatever period of time this House wants to supplant them, change them or ignore them, they can, and it's just that simple. That was Edighoffer.

We then move into the other expert on allocation of time orders, and that's Erskine May, page 408. I'll read this to you as well, and I think you can understand the conundrum.

"In many sessions in order to secure the passage of particularly important and controversial legislation, governments have been confronted with the choice, unless special powers are taken, of cutting down their normal program to an undesirable extent, or of prolonging the sittings of Parliament, or else of acknowledging the impotence of the majority of the House in the face of the resistance of the minority. In such circumstances resort is had sooner or later to the most drastic method of curtailing debate known to procedure, namely, the setting of a date by which a committee must report, or the allocation of a specified number of days to the various stages of a bill and of limited amounts of time to particular portions of a bill."

When they speak there, they're speaking with a great degree of, I think, reverence. That's a time allocation motion. They're suggesting that this is very unusual; it's "special powers," and "undesirable." You can read into that that when they wrote this they're saying, "My goodness, this is something that governments have to do when they're being held hostage because they can't get legislation through." I read that and I understand that that's a time allocation motion. I do not speak of just this government. I think we can all imagine what it was like in opposition or wherever you were. Many time allocations were brought forward.

Interjection.

The Speaker: That's right, they suspended the standing orders. The government House leader is perfectly correct.

I'm now left with the decision. Frankly, as Speaker, there is no decision. Time allocation motions suspend the

standing orders of the House. They suspend them, so whatever rules we have lived by up until this point in time, they're suspended, and inserted in their place is the time allocation order.

It seems to me that you're looking to me, on points of order, to rule against a time allocation motion. In the vernacular, there's nothing wrong. All the books say there's nothing wrong.

Interjections.

The Speaker: Order, members for Algoma and St Catharines.

There's nothing wrong. Those are the rules. That's how they're written, that's how they're examined, that's how they're drafted and that's how standing orders get suspended so time allocation motions may be adopted.

I can only say to the members of the House that it seems to me, and I don't think this is unreasonable, that we've dealt with a lot of time allocation motions. I just say to them that maybe the House leaders could get together and discuss another process or at least alleviate the process to some degree, if that's where the frustration is.

I can only say to you that standing on points of order and requesting me to rule time allocation motions out of order—they can very rarely be out of order because they suspend the very standing orders that we live by.

The motion is in order. Bill 161 is in order.

Mr Wildman: With respect, Speaker, this is not done frivolously. I understand your position, but this was only introduced two weeks ago. You haven't been held hostage.

The Speaker: Member for Algoma, if you considered that I suggest it was frivolous, I don't, and I would never consider the point of order frivolous.

Mrs McLeod: On a point of privilege, Mr Speaker: My point of privilege is relevant to that, because the government House leader, in making his arguments as to the challenge we've made to the time allocation motion, suggested that the concerns raised by the members of the opposition had not been raised previously in second reading debate on the bill. The implication is that our concerns being raised today were simply dilatory in order to delay the time allocation motion proceeding.

In fact, the government House leader was not present when I participated in second reading of the bill. If he were to review Hansard he would know that I raised the concerns both of the regulatory powers of the minister under the basket clause and of the uncoded implications of the bill and the liability of public school boards to pay for that. I would expect that the minister would correct the record by withdrawing his statement, which is not borne out by Hansard.

The Speaker: Again, that's something the minister will review. I didn't hear that and I would not request him to withdraw it now unless he deems that he in fact said that.

Now I guess we're at the government House leader.

Hon Mr Sterling: Mr Speaker, I believe I moved government notice of motion number 54.

I move that, pursuant to standing order 46 and notwithstanding any other standing order or special order of the House relating to Bill 161, An Act to provide

fairness for parents and employees by providing remedies relating to the province-wide withdrawal of services by teachers between October 27 and November 7, 1997 and to make a complementary amendment to the Education Act, when Bill 161 is next called as a government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment, and at such time the bill shall be ordered for third reading;

That the order for third reading of the bill shall then immediately be called and the remainder of the sessional day shall be allotted to the third reading stage of the bill. At 5:45 pm or 9:15 pm as the case may be on such day, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment;

That, in the case of any division relating to any proceeding on the bill, the division bell shall be limited to 5 minutes.

Mr Speaker, I will be sharing my time with the Minister of Labour, the member for Simcoe Centre and the member for Simcoe East.

I have just moved time allocation for Bill 161, the Fairness for Parents and Employees Act. As government House leader, I would prefer not to use time allocation to move bills through the legislative process in a timely fashion. However, it has proven to be virtually impossible for the government to move important legislation through this House and fulfil its mandate without using time allocation.

As my predecessor and colleague Minister Johnson has noted before, we're not the first government to be forced to use time allocation legislation. Indeed it was the NDP government that in 1992 codified the time allocation process through changing the standing orders of this Legislative Assembly. The same NDP government then went on to allocate some 23 pieces of legislation. How many of us remember Bill 40, An Act to amend certain acts concerning Collective Bargaining and Employment? How many of us remember Bill 48, the social contract?

1600

The Liberals, without formal provision for time allocation in the standing orders, which were changed after their particular time in office, moved time allocation on five bills.

To date, our government has allocated time on 15 bills including Bill 161. Clearly, the NDP holds the record for allocating time on the most bills.

Mr Wildman: You're only halfway through. At this rate it will be 30 or 35.

The Acting Speaker (Mr Gilles E. Morin): The member for Algoma.

Hon Mr Sterling: All three recognized parties in this House have relied on time allocation to ensure passage of important legislation.

Interjections.

The Acting Speaker: Order. The member for Algoma, the member for Lambton.

Interjection.

The Acting Speaker: We'll wait. We've got ample time. Minister.

Hon Mr Sterling: Bill 161 is an important piece of legislation. Bill 161, the Fairness for Parents and Employees Act, protects the rights and interests of children, families and employees who were adversely affected by the teachers' illegal strike. By ensuring the expeditious passage of Bill 161, we can help to alleviate the financial hardship of families affected by the teachers' strike. By ensuring the expeditious passage of Bill 161, we can protect the rights of those teachers who chose to stay in the classroom, who chose to do their legal duty.

The motion before the House today will enable us to do that. The motion provides for the completion of second reading of Bill 161, for the immediate debate on third reading of Bill 161 and for a timely vote on third reading of Bill 161. To date, the debate on Bill 161 has primarily served the opposition parties with an opportunity to extend debate on Bill 160, the Education Quality Improvement Act. We have already spent three days in this House on that extended debate. That bill passed third reading yesterday.

While I have been able to address the procedural aspects of Bill 161, I will now permit my colleague the Minister of Labour to speak on the more specific aspects of Bill 161 and the importance of this bill receiving third and final reading as quickly as possible so we can be fair to those teachers who crossed the picket lines and wanted to go and protect the children they were teaching in their classrooms, and also to reimburse parents who by the acts of this illegal strike had to take money out of their pockets to pay for day care.

I yield the floor to the Minister of Labour.

Hon Jim Flaherty (Minister of Labour): As the member for Durham Centre and as the Minister of Labour and above all as a parent, I am pleased to support this motion on Bill 161, the Fairness for Parents and Employees Act. This motion will allow this Legislature to move swiftly to address the concerns of the parents, guardians and taxpayers of Ontario.

It is my sincere hope that as a Legislature we can proceed expeditiously to third reading and proclamation of this important legislation. Therefore, I once again ask all three parties in the House to give unanimous consent and support the passage of this bill.

Since first reading, a large number of members have indicated support for this legislation. In fact, even the Liberal education critic and member for Fort William has publicly expressed her agreement with the rebate provisions for parents in Bill 161. It is reported in the Chronicle-Journal in Thunder Bay on Wednesday, November 26, 1997:

"McLeod said Tuesday she doesn't grudge the rebate, just its timing. 'The province hinted at the rebate during the strike. It was a way of saying to parents, "Don't worry, we'll compensate you for any inconvenience or cost.'""

If passed, this bill will provide fairness to the working families of Ontario who were adversely affected by the province-wide strike. These parents and guardians

suffered hardship and inconvenience and had to shoulder additional burdens. Bill 161 will provide financial relief to a maximum of \$400 per family — I emphasize \$400 per family, not per student — for the hardship experienced by parents and guardians during the strike.

Mr Wildman: It doesn't matter if they were inconvenienced or not. You're going to give them 400 bucks.

The Acting Speaker: Member for Algoma, it's the last time. I don't need to remind you again.

Hon Mr Flaherty: It would also prohibit the dismissal or discipline of parents and guardians who missed work to care for their children during the province-wide strike by teachers' unions, and it would protect those teachers who chose to stay in the classroom from reprisals by their unions.

It is time to move forward with this legislation as quickly and efficiently as possible. This much we owe the people of this province who experienced hardship, financial stress and disruption of family life because of the strike.

Interjection.

The Acting Speaker: Order. The member for Brantford, I won't warn you again. I hope it's clear.

Hon Mr Flaherty: Since the introduction of this bill on the first day of the current session of the House, the working families of Ontario have been waiting for financial relief for disruptions caused by the strike by teachers' unions. There have been hundreds of calls to the Ministry of Labour, to the Ministry of Education and to constituency offices all around the province from anxious parents and guardians who wish to apply for this financial relief.

We want to keep our promises to the parents of Ontario, promises made on October 24, 1997, at the beginning of the two-week, province-wide strike by the teachers' unions. At that time, the government of Ontario promised, first of all, to make payments of up to a maximum of \$40 per day per family to the parents of school-age children to help alleviate the impact of the strike; second, to protect employees who had to care for their children during the strike; and third, to protect teachers who refused to participate in the strike from union reprisals. Bill 161 keeps the promises we made. It is a demonstration to the people of Ontario of the commitment of this government to working families, to employees and to children.

During the two weeks of the province-wide strike, the parents of this province and their children were forced to take unusual and unexpected measures to deal with inconvenience and disruption. Additional burdens were placed on parents' shoulders because many teachers chose not to go to work. Additional costs were incurred by working families to cover child care responsibilities. In some cases, parents had to stay home from work, thus potentially losing income. Often other family members, such as grandparents, travelled to the homes of their grandchildren to help with looking after children who could not go to school.

The children of this province were denied access to their schools, to the education they are fully entitled to, the education paid for by their hardworking parents. Employers were required to work around the child care needs and responsibilities of their employees. I urge the Legislature to move quickly to pass Bill 161 and to provide relief to the working families of Ontario.

I would like at this time to review the important elements of this legislation. Bill 161 enables the government of Ontario to help to cushion the impact of the strike on the parents and guardians of school-age children, and also to protect from reprisals the employees of this province and those teachers who honoured their agreements and went to work in the classroom. Our proposed legislation deals with each of these promises, these commitments, in three sections.

1610

Section 1 of Bill 161, the Fairness for Parents and Employees Act, would provide for a payment of up to \$40 per family per day that an eligible child was unable to attend school because of the strike. This means a maximum of \$400 for families whose children could not go to school for the full 10-day period of the strike.

The payment would also apply if children were unable to attend school because transportation, that is, the school buses, was not available; or if special education programs or services for special needs children were not available; or if children did not attend school because in their parents' opinion — and I emphasize in their parents' opinion — they would not have been safely supervised at a school or school-based child care centre or nursery school.

The payment is available to affected parents and guardians, including those mothers and fathers who would normally stay at home — stay-at-home moms and stay-at-home dads; those who had to enlist the help of relatives and parents who are themselves students in colleges or enrolled in training courses but were forced to miss classes during the strike in order to look after their children.

For the purposes of this legislation, "eligible child" refers to, first of all, school children 13 years of age or younger; second, children in child care facilities or day nurseries located in schools that were closed due to the teachers' unions' strike; or special needs students in secondary schools. The money for these payments comes from the savings school boards have accumulated as a result of not having to pay striking teachers who did not go to work.

The school boards will have the following responsibilities: identifying the appropriate school days; determining if students were prevented from attending classes because of the strike; and administering the payment to eligible households.

Should Bill 161 be approved by the Legislature, parents and guardians will immediately be able to apply for payment through their children's schools and the school boards. There will be an application form available at all schools and school boards in Ontario. The application form will also be available from the Ministry

of Education Web site, and I am happy to note that many public libraries in the province provide free access to the Internet. This will broaden the immediate availability of the application form.

It is also possible to apply for the payment without the application form, by writing to request the payment. A parent can write to the school board to request the payment, but it is important to note that all the information required on the form must be included in such a letter.

The provincial government will not require that receipts be submitted with application forms. A preliminary opinion from Revenue Canada suggests that these payments will not be taxable. However, it is wise for parents to keep any receipts they may have. There will be a final decision from Revenue Canada if and when this bill becomes law and Revenue Canada reviews the bill in its final form.

There are two exceptions to eligibility for this payment. First, teachers who participated in the strike and the co-parents or co-guardians of their children are not eligible to apply. Second, the families of eligible children attending separate schools in York region may only apply for payment for school days missed during the first week of the strike; that is, before November 3. On November 3 teachers at the York region separate school board started a legal strike. This payment will not be made for school days missed because of that legal strike.

If and when Bill 161 is passed by the Legislature and is proclaimed, the government will make the final form of the application available on the Ministry of Education Web site and in electronic form to school boards. We shall inform families through the media and through school boards of the date on which application forms will be available and state what the deadline will be for returning application forms. I urge parents and guardians to take note of the deadline date when it is made available so that they make sure that if they do wish to complete the form, they complete it and submit it in adequate time, within the deadline. Advertisements will be placed in papers — daily, weekly, French and English — across the province with this information.

Once parents and guardians have sent the completed application forms to their school board, the school boards will be responsible for ensuring that parents receive payment. This procedure will be straightforward, the form is straightforward, and parents will receive payment as quickly as possible. I am confident that school boards will deal with this task in an efficient and expeditious manner.

The working families of Ontario suffered many unforeseen difficulties because of the two-week province-wide strike by teachers' unions. This payment acknowledges the additional burden they shouldered because of the teachers' strike. We will make every effort to make sure that parents and guardians have every opportunity to make this application for financial relief. We are determined to ensure that the working families of Ontario are not harmed by the strike action of the teachers of Ontario.

With respect to section 2 of Bill 161, it provides for protection for employees. Bill 161 will also ensure that

employees are protected from dismissal or discipline if they couldn't work because of additional child care responsibilities during the teachers' strike.

The government knows that the employers of Ontario responded positively in helping their employees deal with the effect of the teachers' strike. I heard of numerous instances in which employers and employees worked together in order to minimize the impact of the strike, to make it possible for parents to look after their children. This legislation is a way of offering protection, where needed, to the workers of Ontario.

Under this legislation, an employer is not required to pay salary or wages for work not performed because of the teachers' strike; however, employees are protected from discipline or dismissal because they were unable to carry out the duties of work during this disruptive strike.

Employees in unionized workplaces will use the grievance procedure in their collective agreements to deal with improper dismissals or discipline during the strike. Employees who are not unionized and who feel they have been dismissed or disciplined improperly during the strike should file a complaint with the Ontario Labour Relations Board, which will be empowered by this legislation to deal with this issue.

I would again like to commend the employers and employees of Ontario for responsible, cooperative measures undertaken in the workplace to deal with the disruptive impact of the strike.

Section 3 of Bill 161 provides for protection of teachers against reprisals. Bill 161 will prohibit teachers' unions from initiating reprisals against any of their members who refused to break the law and who did not participate in the strike. Under this proposed legislation, no teachers' federation, nor any branch or affiliate, will be permitted to take reprisals against any member who, first of all, did not support a teachers' union in preparing for the strike; or did not withdraw services or continue to withdraw their services; or crossed or attempted to cross a picket line established in connection with the strike; or counselled other teachers against striking or assisted other teachers who did not strike.

1620

That is the substance of Bill 161. It is important enabling legislation that takes us beyond the disruptions to the working families and the workplaces of Ontario caused by the two-week strike. This is the fundamental reason for supporting the motion that allows the Legislature to move forward with Bill 161.

During the strike this government took a number of steps to reassure young families, working families, and to help them deal with the situation. Bill 161 is this government's formal acknowledgement of the difficulties experienced by the working families of Ontario because of the teachers' strike. We know that families pulled together during this disruption. Grandparents came to look after children. Neighbours helped one another to look after the interests of children. Employers showed patience and understanding. This government is determined to protect the rights and interests of all those children, families and

employees who were adversely affected by the teachers' strike. We are also determined to protect teachers who chose to go to work and stay in the classroom.

We made specific promises and we are keeping them. It is important that we are able to keep those promises to the people of Ontario as quickly and efficiently as possible. We want parents and guardians to receive their financial relief as soon as possible.

I urge all members to show their concern for the working families of Ontario by fully supporting Bill 161 and its swift passage into law. By giving this legislation speedy passage, we can help to alleviate the financial hardship of families adversely affected by the teachers' strike and at the same time protect the rights of employees and those teachers who chose to stay in the classroom. It is time to move forward with improving the education of the young people of this province. Bill 161, by providing the necessary and promised closure on this unfortunate strike by teachers' unions, is a positive step towards that direction.

Mr Joseph N. Tascona (Simcoe Centre): I am very pleased to follow the House leader and the Minister of Labour in supporting this motion. I certainly commend the minister for taking this action in a very trying circumstance. At this time, I'd like to deal with some issues that have been raised.

I got a letter from a trustee within the county raising a number of concerns. I want to deal with it in terms of some of the comments made in this letter, which I find quite interesting and borderline amusing. It deals with the situation historically; money that has not been used to pay teachers during a strike has been returned to its origin. I guess you could use the analogy that if you're in a legal strike, obviously the teachers wouldn't be working or board personnel wouldn't be working, depending on the trade union, and of course the board wouldn't be required to pay them during that legal strike.

What we're having here is an illegal strike taken on behalf of employees of the board. Certainly the board has not paid them, because they withheld their services. I think the important point here and what we have to re-emphasize is that teachers, as well as other people who work for the board at the board offices, are employees of the board. It's the board's responsibility to staff their schools, to ensure that their people work. When their employees withhold their services illegally, it's the board's responsibility to make sure that they return to work.

What we found out during this illegal strike is that the boards did none of that, though I have to re-emphasize it's the boards' employees and it will be the boards that have to deal with their employees now that they're back from an illegal strike on a day-to-day basis because they have a collective agreement between the teachers' union and the members of the teachers' union and the board. To re-emphasize that point, we're dealing with the school board and the teachers' union and their obligation, when they sign a collective agreement, to follow through and work through the collective agreement and not withhold their

services illegally. What happened here is that they withheld their services illegally.

What we're dealing with here is a unique situation which has been identified by this government, and I think the Minister of Labour has taken very responsible action to try to deal with the people who were put out in this situation. Who was put out? Well, number one, the students were put out. Obviously they couldn't get an education, which they have a legal right to have. Obviously the parents were put out, especially if they have young children, in dealing with their day care needs.

Certainly that's something this bill addresses directly on two fronts. It directly deals with it because we are dealing with those costs that are incurred that would not normally be incurred. They had to seek day care or other ways of trying to deal with their children's needs because they were working. In those circumstances, because these are school children who are not being allowed to go to school because of the illegal strike — principals and vice-principals, though they're required under the Education Act with respect to the running of the school, withheld their services. Why? Because they're members of the teachers' union. They withheld their services, even though under the Education Act they're supposed to be there. The individual teachers in the classroom withheld their services, also illegally.

In terms of scrounging around, in terms of the inconvenience the Minister of Labour mentioned of trying to get someone to look after their children, they also have to get to work. So they try to get to work. We also put in protections for them if in fact they do have difficulty with their employer. I think that's a very responsible action to take, to make sure there are no actions taken against a parent inconvenienced by an illegal strike in terms of making sure their children are cared for because they can't go to school because of an illegal strike. That seems to me to be a very fair compromise.

Most employers, if not all of them, obviously were very responsible throughout the whole situation, because it was a very difficult situation when you have to work for a living to pay for your mortgage, to pay for your expenses and at the same time you've got your children, who aren't being allowed to get an education, and you've got to find them somewhere to go.

I find it very ironic, I find this almost nonsensical in terms of saying, "Return the money to us, the board, even though we didn't act within the law and exert our rights at the labour relations board and force back to work the teachers who withheld their services under the guise of their teachers' union in an illegal strike." They could have done it within 24 hours of the illegal strike starting by going to the labour relations board. What did they do? They did nothing for two weeks until the unions called off the strike.

We've got a situation where boards should be looking to take action against their own teachers' union. This is between the individual school boards and the teachers' union. If the individual school board decides to bring a grievance against the individual teachers' union, so be it.

It's the board that's out with respect to expenses. The board may be out with respect to this kind of situation they're facing now. But the bottom line is, don't say this was a historical situation, because quite frankly this was the first illegal teachers' strike that I'm aware of in this province, ever.

What we're dealing with is, essentially the opposition parties are saying: "We're going to put our heads in the sand. We're not going to say to the board, 'Take responsibility with respect to your own employees.'" That's a bit too much responsibility for them to take. The bottom line is for the school boards to look after their employees, make sure they're at work and make sure the teachers' unions follow the collective agreement. They didn't do that.

The other situation I find a little bit simplistic is that the trustee says they're receiving calls from parents who have children 13 years and above and people who aren't going to get benefits from Bill 161; they're against that. How ludicrous. As the member for Simcoe Centre, I haven't received one call with respect to that type of situation. I would challenge the other members to say if they got any calls from people saying, "We don't want parents who were put out, had their children outside of the classroom, had to find day care or some way to look after their children, to get any kind of compensation." I've never heard that before. I not only find that situation nonsensical, but I can't believe that parents would be taking that position against other parents. I think there's a lot of empathy on behalf of all parents who have students in the school system and want them to be educated.

1630

Another part of this letter which I find quite amusing is: "What are we supposed to do? Are we supposed to fill in PA days? How are we supposed to deal with this? Now we've got to pay money that we never pay in the first place but now we have to pay it to the parents who were affected by the system because we never acted responsibly as trustees and as a board to make sure the situation ended. We don't want to make sure that they have any protection whatsoever. We want to make sure their life is inconvenienced on a continuous basis."

It's the board's decision to decide what they're going to do to ensure that the education of the students that was lost is maintained. They'll have to work that out with respect to their system, because the boards are responsible. That's why we have trustees who are responsible: to make sure the board system works. When trustees advocate the role they did during the illegal strike, don't come to me as the member and say, "Well, it's not right that we have to pay the parents out of the money we saved." As a member, it is totally offensive to hear that type of rationale.

The other point that's raised is, why are parents not being asked to submit receipts as proof of the expenses incurred? They take great offence at that, that they're not going to be in a position to put in receipts. At the same time, the complaint is, "The board is going to have so many claims we're not going to know how to deal with this." The minister has indicated that there will be a form that will be used to deal with the situation. But at the same

time you make that statement, "You should be required to put in expenses and put in written receipts," at the same time saying, "We can't handle the workload," in terms of ease of administration, the act clearly states that no receipts are required, none whatsoever.

When you look at that situation, certainly the board would have knowledge of which students who are covered by the act would be impacted and would make arrangements as long as they got a legally authorized, filled-out form from the ministry and submitted it to the board. That's a very, very easy determination on their part. If they want to increase the workload they have, then obviously you would have a situation with receipts. It's totally nonsensical to ask for receipts in this situation. The board knows which children were affected. The board will know which children are affected and covered by this bill. So the boards have a responsibility.

I want to reiterate this so it's very clear in the public's mind: The act clearly provides, "A board that receives a completed application submitted by the prescribed deadline shall pay the applicant the amount to which he or she is entitled under this section." The board has to pay. So let's make sure there is no misunderstanding. The board has to pay and the board understands that. It's in the law.

Interjection.

The Acting Speaker: Member for Algoma.

Mr Tascona: But where there is an exception — and we have to make this clear to the public — with respect to who is eligible, if an eligible child ordinarily resides with a parent or guardian who is a teacher who participated in the province-wide withdrawal of services, the teacher and any other person with whom the teacher ordinarily resides who is also a parent or guardian of the child is not entitled to payment in respect of that child for the school days on which the teacher participated in the withdrawal of services. That's a clear exception to this situation.

It's unfortunate that teachers withdrew their services in this situation. It's unfortunate the students were impacted because of the withdrawal of services. It's also unfortunate that we saw the board system break down, because they made a conscious, intentional decision not to follow through with their duties and did not force the workers back to work. That's why we have a Labour Relations Act, so that where there's a withdrawal of services during a collective agreement, you go to the Ontario Labour Relations Board and have those workers come back. That didn't happen in this situation.

Mr Gilles Pouliot (Lake Nipigon): Why didn't you go to the Ontario Labour Relations Board?

Mr Tascona: The government can't go to the Ontario Labour Relations Board. We're not the employer. The board of education is the employer responsible for the employees, responsible to make sure the collective agreement is adhered to. That's why we have the Labour Relations Act.

Mr Pouliot: They are in the wilderness.

The Acting Speaker: Order. Member for Lake Nipigon, please. Member for Cochrane North, you're not in your seat, and the member for Algoma.

Mr Tascona: There's a statement made there in the letter that says, "What about the dangerous precedent that this sets for future labour actions?" That's in the context of paying the parents who were inconvenienced by the withdrawal of services and had to find somewhere for their children to be looked after. That's a dangerous precedent in terms of dealing with this.

The dangerous precedent that was set is that we had a province-wide strike with respect to a bill and with respect to a duly elected government which has a right to govern. What they were trying to do was to make sure this government did not govern, trying to break them, quite frankly, in the guise of democracy. Democracy is when you're dealing with a free election, being able to cast your ballot in a secret way. The essence of democracy is that we have a changeover of governments in this province, but once that government is elected, they have a right to govern. That is just a fact of life. Some parties govern poorly, as we know from the past. Others govern with the conscience of the people.

What we're dealing with here is a dangerous precedent. Of course it's dangerous when you withdraw your services illegally during a collective agreement, especially when you're dealing with a collective agreement that was entered into freely and you're impacting students. What are you trying to accomplish here? You've denied them 10 days of education. That's what the unions and their members have accomplished. What solutions do they have with respect to getting back those 10 days? I'd like to see what they're going to do with the boards of education.

But the dangerous precedent, even more far-fetched, is that the boards of education did not follow through with respect to the rights they have under the Labour Relations Act and abdicated their role as the employer with respect to their employees. The boards of education have a responsibility under law to make sure that the trade unions, with their members, honour that collective agreement. If they decide not to do that, then what we have is a system in which this happened: For 10 days the unions decided to run the education system, for 10 days they withdrew their services and for 10 days the boards of education did nothing. They did nothing to protect the education system in this province. They did nothing for the parents of this province. They did nothing for the children of this province. To take the position, "Oh, we don't think they should get anything because we saved money during this illegal strike," which they could have ended within 24 hours, to me just smacks of the type of attitude we've got to correct in this province.

School boards, in terms of a dangerous precedent, should never be in a position again where they decide, "We're going to let a legal strike last as long as the unions decide they want it to go on." What kind of precedent is that?

When we talk about school boards and the role that trustees play, trustees have to play a role, which is the protectors of education. They have to make sure that their employees honour their collective agreements. As a member and as a citizen of this province I don't ever want to see a situation again where there's a withdrawal of

services in the education system, where the school boards do nothing to protect the system and the trustees abdicate their role with respect to protecting the system.

We have a bill here, Bill 161, which makes it mandatory for school boards to pay that amount of money to parents who were impacted by the strike. Certainly teachers should not benefit from that. They withheld their services. Why should their children be put in the situation of another parent who was impacted by that strike? They're excluded from this.

1640

I've never heard from anyone in my riding who disagrees with Bill 161, who disagrees on the basis of age, saying: "Well, my child is 14. I don't get anything from this. You shouldn't get it because your child is 13 and under." That is ludicrous. I haven't heard anything with respect to parents who were inconvenienced by this strike, who had to fear for their children, had to fear for their jobs. As a parent myself with young children, I can imagine what the parents were going through trying to make sure they could go to work, do their job and at the same time trying to make sure their children were looked after and trying to get an education for them. How can you balance that as a parent? It's a very demanding prospect, especially if you are a dual-income family: Both parents are working, you're trying to get your children looked after, you're trying to get your job done and you're trying to get your children educated.

Certainly it was an historical strike, certainly it set a dangerous precedent, but I would say the far more dangerous precedent in this situation was when the school boards with their trustees abdicated their position and abdicated their responsibility. After all, at the end of the day parents should look at the school boards for leadership to make sure they make sure that their employees follow their collective agreements so we can have an education system that works.

That's all I have to say on this motion. I think this is an exceptionally fair gesture on behalf of the government. I commend the Minister of Labour and I give the floor to the member for Simcoe East.

Mr Allan K. McLean (Simcoe East): I am pleased to rise today in support of Bill 161, An Act to provide fairness for parents and employees by providing remedies relating to the province-wide withdrawal of services by teachers.

The last few weeks have been very stressful for the children and their parents or guardians. Ontario is a very large and influential province in this young and comparatively small country. However, because of our size, Ontario has great influence over this country. As Ontarians, we hold our heads high and proudly compete successfully, on an international scale, with any other countries in the world.

Because of this, we have put a great deal of emphasis on our education system. We believe it is the right of every child in this province to have the best possible elementary and secondary school education. I believe the recent upheaval has had a negative impact on our school

children and has been an unnecessary inconvenience and hardship for parents and families.

Parents had to ask their employers to adjust work schedules or allow people to work at home. Some took unscheduled vacation days. Throughout, the employer had to exercise flexibility and understanding. I think we need to thank both the parents who made the adjustments and the employers who showed caring, tolerance and cooperation in accommodating the needs of parents with school-age children. Both have experienced undue stress.

Bill 161, introduced November 17 by my colleague the Honourable Jim Flaherty, Minister of Labour, will provide fairness for parents and employees by providing remedies relating to the province-wide withdrawal of services by teachers between October 27 and November 7, 1997. Bill 161 makes a complementary amendment to the new Education Quality Improvement Act. This bill also protects employees who had no other choice but to miss work to care for their children during the recent teachers' strike. This legislation will ensure that employees are protected from dismissal or discipline if they were unable to work because of the additional child care responsibilities during the teachers' strike.

The third part of Bill 161 protects those brave and loyal teachers who stayed in the classroom.

The media is now echoing the public's question: "What was accomplished by this teachers' strike?" Let's look at what we learned.

We now know that this government, with taxpayers' money, puts about \$1.1 billion into the teachers' pension fund yearly. This represents almost 10% of Ontario's current education spending.

We now know that the teachers' pension is protected by an up to 8% inflation increase yearly, and I have been told by people in my riding that at least two retired teachers, husband and wife, are receiving pensions in excess of \$100,000 a year.

We now know that there is \$1.8 billion surplus in the teachers' pension fund. This is expected to increase to \$8 billion by the end of 1998, according to Christina Blizzard's column.

We now know that the unions were in control of the education agenda.

We now know that this government is taking our classroom education back to a strong position of basic learning, with a province-wide core curriculum and provincial testing.

We now know that parents, teachers, principals, vice-principals, students and the community will have a greater say in our education system through parent councils. Parent councils were created by the former NDP government as outlined in memo 122 from April 1995, which I believe was put out by Dave Cooke at that time.

We now know that many of this government's reforms are not new ideas. After all, there have been 24 separate reviews on education in our province, including the Sweeney report, again commissioned by the former NDP government and released in February 1996.

We now know that Dave Cooke, co-chair of the Education Improvement Commission and the former NDP

Minister of Education, supports most of the education reforms being put forward by this government. We all heard John Sweeney, the former Liberal Minister of Education, on Province Wide on Sunday night, and he said the government should get back control of education, which we lost some 20 years ago. That's the former Liberal cabinet minister.

We now know that nearly all other provinces in Canada have made changes to their education system. This government is the first Ontario government in the last 10 years to show enough courage to make the improvements needed to support our students in the classroom.

While I admit we may not have done everything perfectly and we may still find room for improvement, this government does have a plan that is strong enough, and we're willing to take the risks to make the changes that are needed and that will support and strengthen our classroom education.

Our children are eager for knowledge and education. They want and need to learn about themselves, their country and the fast-changing world they play and live in and will one day work in. We, as legislators, educators, employers and parents, are obliged to stay the course and protect our students, providing them with every opportunity to achieve the highest possible learning.

Reforming and expanding our education system is not new. It has been happening since the beginning of time, and we have always designated educators to teach and educate our children.

I believe Ontario's classroom education reforms give our students intellectual and moral training, enhanced by the experience of community professionals. The new province-wide school curriculum will provide systematic instruction and will encourage our students in the development of character and mental powers, thus fulfilling the dictionary's definition of "education."

Bill 161 shows this government's desire to support parents and guardians of students. Bill 161 demonstrates this government's commitment to local school boards in asking them to accept responsibility for the actions of their employees and the effect those actions have had on their clients, the students of this province.

Bill 161 illustrates this government's desire to protect and care for Ontario's most valuable asset, our children. In Simcoe county alone, this past strike affected approximately 21,000 families. During the strike parents had to spend extra money and parents were inconvenienced. This situation was repeated across Ontario.

I don't understand why the members in this House would have objections to supporting Bill 161 when it's for the benefit of the parents and the students who were put out during the teachers' strike.

While Bill 160 was being debated and there was a lot of discussion, as the MPP for the riding of Simcoe East, I had the opportunity to listen to many concerns from all sides of the issue, and as we know, as legislators, it's our duty to listen. I presume it was at least two to one or three to one who were in support of Bill 160. We heard the voices loud and clear of many people who were opposed,

but that wasn't what my riding was receiving, so we heard —

Mr Len Wood (Cochrane North): Seventy per cent opposed it.

1650

Mr McLean: That depends on what poll you want to take, but from what I was hearing in my riding and in my office, yes, we had a great many people who were for it.

The update with regard to the education reform is simple — the five things Bill 160 will do to improve the quality of education for Ontario students — require teachers to teach in the classroom on average at least four hours and 10 minutes secondary, and four hours and 20 minutes elementary per day; prevent boards and unions from raising class sizes above 22 secondary and 25 elementary; increase the instructional year by 10 days secondary and five days elementary; ensure that each school has a school council composed of parents, teachers and other community members; ensure student access to a range of qualified professionals to complement, not replace, the role of teachers in the schools.

I can look back many years ago when my father was the secretary of the local school board. My father hired the teachers and some of the members within the community ran the school. The Penetanguishene Protestant Separate School Board is a prime example of a school that is run by the parents. They elect the board from among the parents. They operate the school. They hire the teachers. That is a school that has had one of the lowest per capita student-teacher ratios in the province.

The main concern I have is the fact that the principals, the teachers and the parent councils have to get back to being involved in running the schools. Get it away from the boards and the government, and elected trustees will have the supervisory power, but I'm still saying the school councils have got to be the key with the principals and the teachers.

When we look at supporters of Bill 160, we can read about Herman van der Veen of Oshawa, a long-time member of the Canadian Auto Workers union and occasional letter-writer, who had come to watch Bill 160 pass. He's now retired. He said the protesters remind him of both his union and the NDP. "It's always their way or the highway," he said. "I'm tired of those people telling me how to think."

Mr Pouliot: On a point of order, Mr Speaker: With apologies to my distinguished colleagues and friends, I find the remarks provocative indeed.

Mr McLean: I also found intriguing the columns that were written with regard to the truth about education reform and legends of Bill 160.

Mr James J. Bradley (St Catharines): Who is the columnist?

Mr McLean: The name is Blizzard. The member for St Catharines laughs about that, and I don't know whether he's read it, but it can certainly give you a pretty good scope of how things have been misinterpreted.

I look at the one ad in the paper and it says that education is being taken away and the parents will have

no further say. There could not be anything further from the truth. That's exactly what we're wanting to do: give the say back to the parents in the classroom. I think that is so important and I don't know why any member in this Legislature would not want to support giving a family \$40 a day.

Mr Wildman: Let them collect. I am in favour of it. Good Christmas bonus.

Mr McLean: The member for Algoma says, "Let them collect." Well, I hope he will vote for this legislation. I really regret that our House leader has to bring in closure motion. I was here when there were about seven closure motions brought in between 1985 and 1990, about 17 brought in between 1990 and 1995. I regret that any closure motions have to be brought in, but it seems to be the way the Legislature is working now. I regret that because I believe we should be back where we were debating on a friendly basis and not the way we have been in the last while.

Madam Speaker, I want to thank you for the opportunity to put some of these things on the record today with regard to Bill 161. I hope the opposition will see fit to support this bill.

The Deputy Speaker (Ms Marilyn Churley): Further debate?

Mr Bradley: Thank you very much, Madam Speaker, for the opportunity to speak on Bill 161 which, as you know, and I'll say from the beginning, is totally and completely dependent on the fact that Bill 160 has passed in this House. I know you'll forgive me for making the odd allusion to Bill 160.

Let's put this out where it really belongs. What this bill is about is it's a bribe. It's a bill that is put out there to give people money to make them feel better about the government, which they feel very badly about because of Bill 160 and some of the provisions of Bill 160. There are people out there who agree with parts of Bill 160, but I thought they were being quite reasonable in that a lot of the people, parent groups and so on, asked when everybody debated the bill and we looked at all aspects of the bill, that the government proceed with those aspects of it that were necessary to be able to accommodate the amalgamations which were to take place by the end of this year. But they asked that the government postpone those parts of the bill which they believe would be detrimental to education.

What we had yesterday in this House was a very sad day for Ontario. You'll notice, Madam Speaker, and you were observing, as I was, that it was much more a day of sadness than a day of anger, though no doubt it was repressed anger that was out there among the many people who were concerned about many aspects of Bill 160. Even members of the clergy from various faiths sent letters to the Premier asking him to reconsider. The reason they sent them to the Premier, and to the Minister of Education, but largely to the Premier, is that they know that virtually all decisions of this government are made in the Premier's office. The ministers know it as well. I feel bad for the ministers. We have some talented people on the

government benches. I won't name names this afternoon, but we have —

Mr Wildman: It won't take long.

Mr Bradley: The member for Algoma tells me it won't take long to name them, but I'll be more charitable to say there are some talented members on the government benches who reside in the cabinet. I feel bad for those people, and I'll tell you why I feel bad for them. They will try to do their job. They'll bring forward ideas; they'll let people they speak with have ideas. The way they would like to see it happen is that these ideas come forward for consideration by the cabinet. But that's not how this government works, because I was reading an article by Guy Crittenden of the *Globe and Mail* called "Inside Ontario's Revolutionary Politburo." The other part of it said, "The Harris Kremlin."

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): Not slanted at all.

Mr Bradley: I always thought that the *Globe and Mail* was trying to be impartial. I think the *Globe and Mail* in fact — correct me if I'm wrong — may have supported Bill 160 in principle. But they were talking about the Harris Kremlin, and here's what Guy Crittenden had to say about it:

"With few exceptions, insiders say that Mr Harris's reliance on a couple of close aides and the unprecedented centralization of power in his office — referred to by some as 'the bunker' — are the cause of the malaise. And it's a sickness that could threaten the Conservative Party's hopes for re-election.

"One former member of a senior minister's staff (most of the people interviewed for this article requested anonymity for fear of losing their jobs) summed it up this way: 'Harris has adopted an arm's-length, chairman-of-the-board management style. The dysfunction this has led to may be his undoing.'"

That's somebody right within the government. They want to remain anonymous, quite obviously, because they don't want to lose their job. They know heads will roll if they are prepared to speak out publicly, because the style of this government is to intimidate. The style of this government is to bully.

1700

The article goes on to say this: "To do all this" — this was talking about the revolutionary agenda that the right-wingers, the extreme right-wingers who occupy the non-elected positions in the Premier's office — their views; they wanted to implement it — "in such a short time, Mr Harris has played fast and loose with the democratic process." That's obvious again this afternoon with yet another closure motion coming before the House. "He has surrounded himself with a cadre of young, fervently ideological advisers to do his bidding. Grass-roots supporters who thought the party would emphasize democratic debate, plebiscites and local decision-making have been shocked. In the Harris Kremlin, power flows from the centre. (Indeed the term 'the centre' is now an ominous

fixture of party newspeak, as in the oft-repeated phrase, 'No one knows what the centre is thinking.')

We have a few ministers in the House; they will know what I'm saying, because it says, "Thus, ministers are often kept in the dark, making them little more than salespeople for initiatives cobbled together in the Premier's office. Stories abound of ministers caught in the crossfire of Mr Harris's flash temper, his staff's fiddling, and the pressures from their own portfolios."

I am here to express sympathy and concern with ministers who are confronted with these 20-something and 30-something whiz kids — not elected, never had to meet the electorate, never had to stand for election — who have all the answers. At least some of these people here who are of that age have had to meet the electorate, at least have to run a constituency office. I'll give them that much credit. I would pay much more attention to what they would say independently than I would the whiz kids in the Premier's office.

I'm glad to see today that we had two members of the government who had the intestinal fortitude to stand and vote against the government. These two, Gary Carr, the member for Oakville, and Toni Skarica, the member for Wentworth North, were individuals who didn't simply flinch or jump when the government whip cracked the whip. They were individuals who were prepared to stand up for their principles, for the people. They are people who are obviously sick and tired of Guy Giorno and all of the whiz kids telling them what to do. Because they were prepared to stand up today, others in the caucus were not as friendly to them as they might be.

I worry about this because I know there were other members of the government caucus who wanted to vote against the government. My friend Bill Murdoch, who fulminates in the hallway very often, huffs and he puffs and makes a lot of declarations about the government. I thought Bill would get up today and vote against the government after all he's had to say. Unfortunately, all he got out of it was a question. They let him ask a question.

I know government members are going to say, "You're trying to make mischief and, you know, the opposition always says this." I admire Gary Carr and Tony Skarica for what they did this afternoon. They stood up to the bullies in the Premier's office. They stood up to the whiz kids. They stood up to the intimidation of others whose job it is to make them vote as the government wants them to.

I only wish there were more members of the government caucus who were prepared to do that. Unfortunately, as I suspect, we're going to have 61 parliamentary assistants over there because it seems there is a price to be paid for this and there are going to be people who are going to get special positions and they will give them some special favours, but here were two individuals who were prepared to stand up, in principle, against the bullying Mike Harris government. For that they deserve the applause of members of the Legislature that they received this afternoon.

Let's look at who some of the people are who create the policy for the government, who tell the government members — I know how tolerant the speakers have been

all afternoon of government members and I know you are equally tolerant now. It says: "Tom Long: a corporate headhunter whose preppie appearance belies a strong ideology and keen intuition for the pulse of the middle-class electorate." Leslie Noble —

Mr Bart Maves (Niagara Falls): On a point of order, Madam Speaker: I think the whiz kids bill was passed two weeks ago and maybe the member should speak to Bill 161 and the time allocation, which we are talking about.

The Deputy Speaker: Thank you. Member for St Catharines, I remind you about the bill. We are speaking to the time allocation, I believe, on Bill 161.

Mr Bradley: You are absolutely right, Madam Speaker. We are speaking to a time allocation motion and I am informing the House who has composed the time allocation motion. I am sorry it has offended my friend from Niagara Falls who has come to the defence of the whiz kids for some reason. But I want to tell you who wrote this time allocation motion, who influenced the government to bring in this time allocation motion. That's why I mentioned Tom Long, and now I mention Leslie Noble, "a tough and intelligent women who elbowed her way into the Tory boys' club to become one of its top strategists."

What does the article say about Guy Giorno? "Any discussion with insiders about control from the centre quickly turns into a debate over the relative strengths and weaknesses of director of policy Guy Giorno, who was all of 29 when the Tories came to power. Nicknamed 'Rasputin'...he is, some say, the ultimate insider, a right-wing true believer who sidelines any ministerial move that doesn't jibe with his ideology."

I am concerned because I know many of the members of the cabinet, even some of the newer people. I am concerned when I see that nothing can get through without the thumbs up from Guy Giorno. I asked before, what riding does he represent? What constituency elected him? What group of people in this province elevated him to this position so that he can dictate to my friends who are in the cabinet? I am here on your side when you fight against the Premier's office.

There is one I haven't mentioned, John Toogood: "The Premier's economic policy adviser, he was recently promoted to assistant director of policy. The Tory Youth graduate and Giorno protégé still looks too young to shave."

There are lots of people in there, I guess, who have input and I think what's bad for our system, what's bad for our democratic system, is that these people are now in control of this government. My friend Al Leach, when he wants to bring something forward, has to pass it by the whiz kids. When my friend Noble Villeneuve, Minister of Agriculture, Food and Rural Affairs, whom I have known for many years, wants to bring forward an initiative, it's got to be approved by Guy Giorno and John Toogood.

I am prepared to trust the judgement of an elected member more than I am the unelected people, even though my friend from Lake Nipigon says I am overreacting when I say that.

1710

I want to go back to Bill 161 and its predecessor, Bill 160, which brought about Bill 161. Yesterday there would have been people on the government side — they like to celebrate. You see, there's a certain collegiality when you put the boots to somebody. What has happened is they would all be signing — I'll bet they had a Bill 160 and they're all signing Bill 160 and hooting and hollering and toasting the champagne to it. If you have acute enough hearing, you would have been able to hear the champagne glasses being tinkled together in the Albany Club. I would say that would be the case. In the Albany Club there would have been a celebration.

Interjections.

Mr Bradley: I have provoked many members of the government side. I understand that, because they know where the support for Bill 160 would have been.

I want to look at yesterday, at what it really meant for Ontario and at this bill that comes out of that bill from yesterday. What it really means is that the government is taking an unprecedented amount of money out of the education system. I disagree with that, but I'm going to tell you something. I would have at least admired the government, I would have at least given credit to the government, if the government had been up front. Last time I said this my friend from Etobicoke-Humber nodded in agreement, or he was nodding off at my speech. I don't know what it was, but I think he was nodding in agreement when I said: "You know, if it was about taking money out of the education system, then be honest and up front about it. Say that's what it's about."

One of the articles is by Carolyn Abraham and Richard Brennan. It's called "Harris Whiz Kids Have Tiger by Tail in Teachers' Strike." Here's what it says: "Education minister Dave Johnson, who has been the government's prominent public face during the strike affecting 2.1 million students, is receiving many of his marching orders from the so-called whiz kids in the Premier's office, Southam News has learned." Remember, Conrad Black owns a lot of Southam News.

"All in their 30s, Leslie Noble, Alister Campbell and Tom Long spearheaded the Premier's election team but have since been recalled as Harris's closest advisers despite having careers outside Queen's Park.

"Noble is a tough-minded strategist who runs her own communications business and has appeared on television to defend the government's position in the dispute. Campbell is an insurance executive. And Long, former president of the Ontario's Progressive Party, is a corporate headhunter."

Mr Maves: On a point of order, Madam Speaker: I don't think any of these people are the brother of the leader, as the leader of the Liberal Party's brother is their whip over there, I think. At least the people who work in the Premier's office aren't related to their leader.

What I just said is irrelevant to the debate, just as what the member for St Catharines —

The Deputy Speaker: He has a point of order. Your preamble was not connected, to the member for St

Catharines. It is a point of order. Do come back to debating the bill before us.

Mr Bradley: I will come back to debating the bill, which of course is related to who composes the bill. That's why I'm on to this.

I'm not going to use the language it says in here because I don't want to use it. Here's what they told the government to do: "They told the Premier he should 'kick the teachers'....'" I won't say what, but that's what it says. It's five letters.

"But their hard-line stance has so far led to a series of public relations follies, and government insiders resent the fact that no one has been held accountable.

"With these guys, everything is a bumper-sticker policy. They live in a rarified, privileged environment," the source said...."

It goes on and it talks about the centralized control. I may not quote all of it because it's making many of the government members uneasy.

Here's what they said about the money issue, and I think that's important because this is about money: "There was also a 'huge, furious fight' in the Premier's office about whether the communications strategy should mention money. And those who 'didn't want to talk about the money won.'

"But that decision was completely undercut when a leaked government document exposed a government plan to cut \$667 million out of education. The Premier then confirmed up to \$700 million could be extracted, undermining his own education minister, who had repeatedly told the media there was no target reduction for education.

"They had hoped just to skate around the money issue, but, of course, they couldn't," the source said."

That's the whole issue we're talking about. The government members were told. When they go to their meetings they said, "Make sure you tell the people this is not about money, that we're not cutting money out of education." And then the leaked document came out. This is the document which showed the draft, as the government likes saying, contract for the new Deputy Minister of Education.

Mr Pouliot: Veronica Lacey.

Mr Bradley: Veronica Lacey, as my friend from Lake Nipigon says. It stated she had to take \$667 million more out of the system. This is over and above the \$533 million — that's over half a billion dollars — the government had already taken out of education, and the cementing of the \$425 million that was taken out of the education system as a result of the social contract.

You people remember the social contract. You were critical of the NDP about the social contract and the fact they took \$425 million out of education — all kinds of howls about that — but what do you do? You cement those savings. You cement the extraction of that money, of which you were critical before.

Here's the government taking well over \$1 billion out of the system. It is most unfortunate that the government would do that. They said it had nothing to do with money. I want to say to you that their bluff was called probably

most on the last day for amendments. At least they had a last day for amendments. With this time allocation motion, the opposition or the government or anybody else cannot propose any amendments. They can't be considered because of the time allocation motion.

The day before the last day the government had allocated through their last closure or time allocation motion, the teachers' federation said: "You are trying to accomplish the following goals: You want to see more contact days with the students; you want to see more time in the classroom between teachers and students. Here's how we think you could accomplish that then. Why don't you reduce the number of professional activity days? We think you could do that." They proposed that, and then said: "Though it will have some consequences, you can reduce the number of examination days. That will provide more direct contact. By the way, we're prepared to advocate as well that you lengthen the school day so there's a lot more time of contact with the students."

What they did was they called Mr Harris's bluff. When they called their bluff, what happened was the government then had to admit it was all about taking money out of the system. Why didn't the government say that in the first place? Why wasn't the government up front about that? At least people then would have said, "Well, we agree or disagree, but we know what the motivation of the government is." Instead, as I've mentioned from this article, the whiz kids said: "Don't mention it in the communications strategy. Let's tell our members to go out to their meetings and say it has nothing to do with money." Then they were caught. That's most unfortunate that this is what it was all about.

If you really believe over there that you can take well over \$1 billion out of the system, which has already had money taken out of it, and that you can still have a system which delivers the same kind of education to students in this province, then you are wrong. I think a lot of government members know that. I know that and I know my friend the member from Brockville, where they're closing his psychiatric hospital, would agree with me. I'm on his side in trying to save the Brockville hospital from the axe of Mike Harris. Even though Mike Harris said during the election campaign, and I quote, "Certainly, Robert" — he meant Robert Fisher of Global TV — "I can guarantee you it is not my plan to close hospitals." And then he closed all kinds of hospitals, including the psychiatric hospital in Brockville.

I want to tell the member from Brockville, Leeds-Grenville and other areas that I will stand shoulder to shoulder with him as he fights — no doubt he has to do it behind closed doors; I can do it openly — to retain the psychiatric hospital, the largest employer in Brockville. I'm on his side. I well recall his beloved mother making an observation on this and I agree entirely with her. She can be proud of her son because I know he's going to be standing up to this government as they try to close the psychiatric hospital.

But that has nothing to do with Bill 161. I was only responding to the barracking from the government side.

1720

What happened was the government tried to portray the whole education debate as a fight between the teachers of Ontario and the government of Ontario. Indeed the whiz kids said: "This is a good target. Maybe we can paint a picture" — you heard some of it in the speeches today — "of privileged people. Let's paint a picture of privileged people. Let's stir up all that resentment that people felt for a long time, particularly in our own circle" — the extreme right-wing circle — "against the teachers."

But I'm going to tell you that they found out something different. What they found out was that this is not a fight between the teachers of Ontario and the government of Ontario. Bill 160, which necessitates Bill 161, is a fight between those who believe in a strong, vibrant, high-quality, publicly funded education system and those who do not. I'm afraid the right-wing little group that sits in the Premier's office does not.

Did you notice the question yesterday that was asked by the member for Windsor-Sandwich? She asked the Minister of Education whether the government was in favour of charter schools. I didn't know that Dave Johnson, my good friend from East York, was such an athlete, but he put on a skating performance in trying to answer that question that was second to none.

Mr Marcel Beaubien (Lambton): He is a good skater.

Mr Bradley: I'm told he is a good skater by my friend M. Beaubien from Lambton. He skated around that because he knows, whether he agrees with them or not, that little group in the Premier's office, the right-wing ideologues, the people who have never had to be elected, strongly believe in it. They know that if you underfund and defund and discredit a public institution, that opens the door for privatization.

That opens the door in this case for private schools, which are charter schools. When you get into that system, as they have in many states in the United States, unfortunately the wealthy people, the privileged people, are able to afford to send their children to it and the public school system is not, so the public school system becomes in disrepair.

That's most unfortunate because the publicly funded system is one of the few equalizers in our society. None of us can guarantee — none of us, whether we would say it or not — the outcome of individuals. We cannot guarantee that. That's a Utopian goal. We'd like to see it but it can't be done.

I made this speech along with my colleague from Welland-Thorold, who was there as well, at Ridley College. Ridley College is a private school. The tuition there would be quite substantial. We were asked to speak to the students. I said that the role of the publicly funded school system was to provide equality of opportunity, that if you come from a very poor home and you go into that publicly funded school system, you have a chance of being able to achieve, maybe not the Horatio Alger story from south of the border but at least you have some kind of chance to succeed. I think all of us want to see that.

That's why I worry and that's why so many parents worry. That's why so many friends of public education worry when this government continues to pull hundreds of millions of dollars more out of the education system.

What happened was a major protest from people who are not militant. I know many of the people. We've all, as students, had our teachers. We know many of them in the community. We're not talking about a militant group. We're not talking about a radical group. It's very hard to get those people to be radical or militant. We're talking about a moderate, and I would describe them in a general sense as being a pretty small-c conservative, group of people in our society. This government managed to make militants and radicals out of some of them and to make them take extraordinary action to defend public education.

This wasn't a pay dispute going on between the government and the teachers. This was not a normal labour dispute. This was people defending a public education system.

I was surprised, I want to tell you, genuinely surprised, by the individual teachers I spoke to who I know to be very moderate people who were concerned enough to take pretty extraordinary action to defend public education, and that's what happened. There wasn't one of them who wanted to be outside of the classroom or outside of working with their students. I couldn't find one. But that's what happened. I've met many of them over the years.

I remember there was dispute — I'm going to say in 1973, Bud — in this House —

Mr Wildman: It was 1974.

Mr Bradley: It was 1974. We had in this House a dispute between the government and people over regulations related to teachers in the province. I remember one teacher who at that time believed strongly in authority and she stayed in on that one when a lot of people went out. That was her nature and no one resented that, because that was her nature, that was her philosophy. Do you know something? She was out this time. This is a very cautious person. I only mention one but there were so many of them in that category who are very cautious people and that's why they were concerned. They were out there to defend the education system.

They had some considerable support because the whiz kids didn't realize that these are brothers and sisters of people, that these are mothers and fathers, that these are daughters and sons and so on. I want to tell you, I was very surprised that some of the people I spoke to I thought were calling me to chastise me for being opposed to 160, and I mean people I know who are long-time Conservatives, some of them not even in education, who said to me: "You know, my daughter," or my son or somebody in the family or my next door neighbour, my best friend, "is a teacher and I know something about the education system. I've supported the Conservative Party in the past when it was the Progressive Conservative Party but this group" —

Interjections.

Mr Bradley: I'm quoting them; I'm quoting these people. Not me. I've never supported the Progressive

Conservative Party. Don't worry. I know you are very worried.

These were people who said, "I've supported the Conservative Party in the past." These are relatives of members of Parliament. I mentioned Carol Jones, who appeared at the public hearing in St Catharines, former constituency assistant to Bob Welch, a revered former Deputy Premier in this province, a former Minister of Education and a person who campaigned for the Conservatives in the last election campaign in Lincoln. She was absolutely furious at what she had seen. Bud Wildman was there; he saw that.

When you can turn someone around that much — and there were many in education who have supported you over the years. I'm going to tell you, within the teaching ranks there are a lot of Conservative people who have supported you over the years. Almost to a person now, they do not because they don't see you as the Conservative Party any more; they see you as something right of that — we in the opposition like to say the Reform Party. They just don't see you as the Conservative Party. I'm wondering how my friend Paul Harris would have reacted in education.

I think even the people who agree with this government, or its general direction, would say the government's moving too quickly, moving far too drastically. It's not looking at the consequences of its actions; it's being reckless. Even supporters of this government today, who may well vote for you in the next election because they strongly support the kind of policies you're bringing forward, are very worried about that. Even when they agree with you, they're very worried about the style of government. They're worried about the intimidation; they're worried about the bullying aspect of it.

When you see presidents of hospitals or administrators of hospitals, the people from district health councils pulling their punches, being very quiet because they're afraid that if they take drastic action by speaking out they're going to lose their institution or lose some of their funding, when their silence is almost demanded, you become very concerned.

The Minister of Education has suggested to us several initiatives the government has taken. Unfortunately, most of them are not in the bill. He lists several things that the government is doing, and they're not in the bill.

1730

There are some myths I want to share with members in a short period of time, but I want to say before I do how concerned I am about this time allocation motion. What we have today is yet another time allocation motion, but this one prohibits any amendments from being introduced. Second, it breaks a time-honoured tradition in this House of not dealing with two readings of a bill in one day without unanimous consent of the House.

I was very concerned when I heard the Speaker say that in his judgement today, as a result of his reading of the rulings, the government could get away with this, because mark my words, this government's got some other schemes up their sleeve in terms of time allocation. The member for Etobicoke nods knowingly and smugly over

there about that, but I tell him, you know, you can win it for the moment, but you have to understand what the long-term consequences are for our democratic system. You can sit there with a smug smile and that's fine.

Mr Douglas B. Ford (Etobicoke-Humber): Talk to Chrétien about all the promises. Tell us about the promises, Jim.

Mr Bradley: All you do is talk about the federal government and so on. I ask the member, all members, to consider what is happening in this Legislature, to consider that you have a time allocation motion today that prohibits any amendments to Bill 131; that you have a time allocation motion which allows the government to move through two stages at one time in the bill; and that you have the whiz kids, the ones who changed the rules — Guy Giorno, who wanted to rush through these rule changes — now contemplating new and more radical and more drastic time allocation motions which would sweep the agenda completely at one swoop. I look out and I say, how many government members in their heart of hearts are concerned that that's what this government is about?

You know, if after a full democratic debate you win the day, that's fine. That's the way the system goes. People have aired their views, aired their concerns, and then if it unfolds and you win, as you will with your large majority, despite the fact we had two members today who stood defiantly against Mike Harris and the government on the issue — I know that they become very concerned about that.

Hon Mr Villeneuve: So did Nunziata.

Mr Bradley: I know that if members were concerned about the federal Parliament that they would run federally and make their case there, but we are elected to this Parliament and we must make our case here. So those who are very concerned about what they might see in the federal Parliament should start turning their attention to this Parliament, to their government, because I'm going to tell you something: People in opposition will fight this battle.

I'm going to tell you, when governments are handed these rules, it's very hard to convince them to change them back and that's why, when you see your government House leader embark upon yet a new and different and more radical course, the saner voices in cabinet and in the caucus should be cautioning against that because it can be used by another government against you. That's one consideration, but it's just not good for the democratic system.

I hope you'll do that. I don't expect you to applaud or agree with me outwardly today. I just hope you will go back and mention that to the people who are responsible for this.

What we are going to see, the Minister of Education pointed out — the Minister of Education said that what it's all about is 7,500 teachers are going to be given their pink slips. They're going to be sent out the door in education.

Well, it is. He said that. My friend, Mr Villeneuve, a good friend of mine, nods no. I stood there in the hallway over —

Hon Mr Villeneuve: That's attrition.

Mr Bradley: No, wrong again. I know the members are not trying to misrepresent the position. I want to tell you that these are permanent job losses. These are permanent positions gone. Yes, as people retire over the years, new people will come into the system, but these are positions gone. Go back and ask the Minister of Education. As a result of your so-called preparation time issue, you will —

Hon Mr Villeneuve: Earl Manners got to you pretty good, didn't he?

Mr Bradley: No. I'm telling you, it is your own minister who conceded that 7,500 positions will be gone. Let me tell you how many schools are going to close in your riding. The schools are going to be closing in riding after riding, neighbourhood high schools, and you people are going to be called to account. I want you to go and ask him how many schools in your riding will be closed as a result of Bill 160. I'm going to tell you, a heck of a lot of them.

I don't think anybody thought of that. Listen, if you thought this was good and they should close, that's one thing. That's fine. That's your opinion. But I hope you know that that's the result, those 7,500 positions that the Minister of Education admitted to disappearing completely from education as a result of the prep time provisions. That's what happens. When they're gone, I want you to ask him, are they gone permanently? If he's honest with you, which I hope he will be, he'll say yes. When you ask him, "Is that going to result in schools closing?" he'd better tell you "Yes, it is." If you agree with that still, that's a position to take; I understand that. But at least know that that's a consequence of Bill 160.

Now, I am going to give some time to my friend from Algoma because as a result of the time the government took, and there was not a split of time, my friend from Algoma hasn't had a chance to speak. So I'm going to momentarily turn it over to my friend from Algoma to have an opportunity to speak, because I know the member for Fort William will want to speak next day, when we actually consider the bill itself.

Before I do — you know how David Letterman has his 10 best or 10 whatever it is he uses out there — I'm going to read 10 important things you can believe about Bill 160:

(1) That the bill has nothing to do with curriculum, standardized report cards or testing. That's not in the bill, despite the fact that the minister gets up and says that.

(2) That Bill 160 allows the government to cut the cost of education by cutting teachers. It guarantees there will be fewer secondary school teachers teaching more classes to more students. That means less time for individual students.

(3) That small secondary schools will be unable to offer a full range of programs because of the reduction in staff. That's a fact.

(4) That Bill 160 does not mean smaller classes. The bill enshrines the status quo as the average class size across the new amalgamated boards.

Mr Beaubien: Who wrote that?

Hon Mr Villeneuve: His friend Earl Manners.

The Deputy Speaker: Order, please.

Mr Bradley: That means there are going to be classes of 35 and 36 students in some places. With reduced funding and 25,000 more students per year, even maintaining the status quo will mean gutting other school services like special education support.

(5) That Bill 160 puts our educational leadership into limbo and may destroy it altogether as principals and vice-principals are forced to choose on April 1 whether they return to the classroom. That was the vindictive clause. Remember, Mr Snobelen announced proudly, "We're going to have teachers and principals in the federation." He announced it proudly.

Mike Harris said, "We'll get back at them, we'll fix their boats," and he did. He took them out of that. You break the collegiality and you break the teamwork of education.

(6) That Bill 160 leaves the door wide open to turn the management of schools over to parent councils, which are no longer to be advisory. This is exactly the opposite of what parent councils want and is a response to those who do not believe Bill 160 goes far enough in dismantling public education.

(7) That Bill 160 means virtually total central control of education whether by regulation or legislation. There will be little, if any, flexibility to meet local needs.

(8) That Bill 160 allows the minister to take over school boards and fire boards' officers and employees if the minister feels there are "concerns about the board's ability to meet its financial obligations." Decisions made by the minister cannot be reviewed by the courts.

(9) That the Minister of Finance can raise \$6 billion in property taxes by regulation, with no debate or vote in the Legislature.

(10) That the bill allows the delegation of more powers to the Education Improvement Commission, and in many places the commission's decisions cannot be challenged in a court of law.

The bottom line: You cannot improve education with fewer dollars and fewer teachers and you cannot bring about positive change when you make enemies of those who deliver education services on the front line, the teachers of this province.

1740

Mr Wildman: I want to express my thanks to my friend from St Catharines for leaving some time so that I could speak on behalf of my caucus on this time allocation motion on Bill 161. Because of the time allocation motion and the new rules of the House, it makes it very difficult now for members of the third party to have time to speak on time allocation motions and bills that are time-allocated. I know that many members of the majority may not think that's important, but in fact the members of this assembly are elected to represent their constituents, and I think it's most unfortunate that under the rules passed by this government it now denies one group of the minority, on a regular basis now, the opportunity to speak on legislation that is put before the House by the government.

That's the result of the rule changes that the government has brought in, and it's most unfortunate.

Mr Peter L. Preston (Brant-Haldimand): You never did that yourself.

Mr Wildman: I'm not talking about time allocation when I say that, I'm talking about the rule changes. The rule changes are what produced the situation in this particular case that I'm referring to, and it's unfortunate because it means that a significant number in the minority do not regularly get an opportunity to express their views in an assembly that is supposed to be designed to ensure that all of the views of various groups in the province have the opportunity to speak.

Mr Preston: You get to speak more than I do.

Mr Wildman: I guess that demonstrates how seriously you take what I'm saying. I say in all sincerity that it is most unfortunate that we have this kind of situation.

I want to speak directly for the very few minutes that I have to the time allocation motion on Bill 161. I've had the opportunity to speak on Bill 160, so I won't belabour that.

I am very distressed at this motion. It's not on the basis of how many times time allocation has been used by the government but on the type of motion that we have before us. This is a time allocation motion which, in my view, is largely unprecedented. I understand the ruling by the Speaker. He's quite right. It says right in the time allocation motion, "...notwithstanding the rules of the House," so the government, if the majority votes for it, can do this. What this time allocation means is that the government can move forward with Bill 161, with all of the stages, in one day and with no committee and no opportunity for amendment. This is unprecedented and most unfortunate.

In the past we have moved bills forward through more than one stage in one day with unanimous consent. But this is the government, one side, the majority imposing that procedure on the House if the majority votes for it, and I suspect they're going to. That's most unfortunate.

I must say I'm puzzled by the introduction of this time allocation motion. Bill 161 is not a bill that has been stalled in this House. Normally that's what time allocation is moved for by the government. If a piece of legislation has been brought before the House, has had extended debate and the government can't move it forward, then the government as a last resort moves to time allocation. This bill was only introduced on November 17. It has only been before the House for two weeks. It has not been stalled. There has been lots of other legislation that I know the government has been frustrated about getting through that has been before the House for months and months. There are some bills that have been before the House for a couple of years. This bill has only been on the order paper for two weeks.

Why is it we have a time allocation motion? I suspect I know the reason. It has nothing to do with the fact that the government is trying to get this through and it's been stalled. It's simply because this government feels so beleaguered by the opposition on Bill 160 that it's trying to get this through as a PR move at the same time that Bill 160 passes the House. That's the only reason this is being

introduced. They want to be able to hand out the 400 bucks at the same time that Bill 160 becomes law, and that's the only reason we have a time allocation motion today on Bill 160.

They've hit the principals and vice-principals in Bill 160 by moving them out of the federation, despite the commitments of the previous minister, and now they want to hit the boards and the other teachers. This takes the money away from the boards, makes the boards responsible for administering a program that has no receipts and no accountability, and it also hits the teachers, because everybody else who has children in the system, whether they were inconvenienced, whether it took them more money, whether they had to pay for child care or not, gets a Christmas bonus under Bill 161, but not the teachers. This is a good way of whacking them again. "Let's get them."

That's what this is about. It's not about having legislation stalled in the House that the government can't get through, which is why we have, unfortunately, a time allocation rule. This legislation has only been before the House for two weeks. It hasn't been stalled.

I shouldn't admit this, I suppose, but you could argue that this has been debated on November 20, November 24 and November 25 in the House at second reading.

Mr Rosario Marchese (Fort York): Three days.

Mr Wildman: Three days, which is usually, by convention, the minimum that is required before a time allocation motion is introduced. So you could say by convention, three days, you can move to time allocation. It's the minimum, not the max.

But this is the first time we have a time allocation motion that says not only are we going to move forward on this bill at second reading, we're going to do second and third reading on the same day and we're not going to have any committee, we're not going to have any amendments and no possible amendments. The fact is that this is an unprecedented move. The government is not only muzzling debate by this, but it is trying to do it in such a way that it makes it impossible for us to improve this legislation.

There are some things in this legislation that we could support, frankly. We think it's a good idea to have legislation in Ontario that makes it possible for parents to take time off work to look after their children in special circumstances, or other relatives in special circumstances, and not be penalized by their employers. We think that's a good idea. As a matter of fact, in the United States the President introduced the Family and Medical Leave Act of 1993 and passed it.

My question, though, is, why will we only have this kind of legislation in Ontario for two weeks? Why don't we make this permanent? Why don't we protect employees of all employers in Ontario who meet distressing circumstances and have to take time off work? Why are we only doing it because of this particular situation? If you really believed in protecting the rights of employees and in protecting the family, why not bring in this legislation in a way similar to what our American friends did in moving this bill through Congress?

1750

Mr Beaubien: You want to Americanize the system, don't you?

The Deputy Speaker: Order, please.

Mr Wildman: The member for Lambton apparently doesn't like anything American. I don't understand.

Mr Beaubien: Thank you for putting that on the record, member for Algoma.

Mr Wildman: Is he opposed to things American, as if they can't do anything right? I don't understand what he's saying.

The question is, why wouldn't we protect employees throughout the year? Why wouldn't we do it for the future? If it's such a good idea, and we think it is, why not bring in legislation that protects the workers? But this only does it for two weeks. It doesn't do it on a permanent basis.

We wanted to be able to put an amendment to this legislation that would have made it permanent, not only applying for two weeks. But this time allocation motion doesn't allow for that, it doesn't allow for any amendments. It doesn't allow the members of the assembly to consider improvements.

There has been a lot of debate about the \$400 for parents of children under the age of 13 or students with special needs in secondary school. I really have sincere concern about the question of accountability. I think if parents are to be reimbursed for expenses they incurred as a result of the disruption of classes because of the teachers' protest, they perhaps should be reimbursed and for that reason I would not be opposed to this, but I think there should be some accountability. Why are we not requiring receipts? Why are we saying to people, "You can collect this money whether it cost you a cent. All you have to do is apply, and as long as you've got a kid under the age of 13, you can get the money." Why are we doing it? I thought this was a government that believed in financial accountability. I thought this government wanted to ensure that we didn't waste money.

We wanted to be able to move an amendment to deal with that issue, but because of this time allocation motion, no amendments are allowed. The government could, I suppose, have considered the amendment, listened to the debate and voted against the amendment if they didn't want to have receipts, but no, the government isn't prepared to do that. The government says: "Not only are we not going to require receipts, we're not even going to allow you to debate it. We're not even going to vote on it, because we don't want any amendments to this legislation."

Why? The government wants to get this legislation through because Bill 160 passed yesterday and they want them both to pass at the same time. That's the only reason. There is absolutely no excuse under the rules of this House, even the onerous rules imposed on this House by this government, for this time allocation motion to be moved today. The legislation has only been on the order paper for two weeks. It hasn't had extended debate. It hasn't gone beyond the three days. There hasn't been any extended debate on this legislation. This government is

just saying: "The Legislature is a nuisance. It takes us too long to get things through that we want. We don't like to have debate."

Democracy is messy. It means you have to sit there and listen to people who disagree with you. You can't just have a Red Army Chorus of everyone agreeing with you in your Kremlin. You can't do that. Even in Mike Harris's Kremlin, it's not just the Red Army Chorus. Here we do allow for some people to disagree and to argue. But you people don't like it. It's messy, it's a nuisance, it takes too long. The problem is that it's democratic and you guys don't understand that. You'd rather just get things through.

There was an expression in the 1930s, and I want to be careful how I say this, "You can get the trains running on time if you don't have anybody who can disagree with you." You can get the trains running on time all right. There's no debate. There's no holdup. You just get things done.

The problem you run into when you operate a government in that fashion is that at least sometimes the people at the top giving the orders are not right; they sometimes make mistakes. In a system like this, where you're just worried about getting the trains running on time, the people actually operating the trains, operating the system, are afraid to say when the guy at the top is wrong. As a result the system breaks down and there are serious mistakes made that not only affect the people running the trains and the person setting the schedule for the trains, but affect all the passengers and everybody who lives in the vicinity of the track.

I don't think anybody sitting in this Legislature should feel comfortable about being compared with the government to which I am currently at this moment comparing them. In order to get the analogy, they have to know something about history.

The government should think very seriously about a situation where they are suggesting: "As long as we get the bill through, it doesn't matter if we're muzzling debate in the Legislature, because the Legislature is irrelevant. It's not important, it's not efficient." That's how this government tends to treat the assembly. It's wrong. It's unfortunate. It doesn't make it possible for the members who are elected by the people of this province to properly have their say and be able to see and hold their government accountable. It doesn't make it possible for the government to vote down amendments put forward by the minority if they don't accept those amendments. It simply says: "We won't bother with amendments. We won't bother even discussing them." The problem with that is that your legislation has to be perfect, because if you don't allow for debate and amendment, you can get the legislation passed and it may have serious flaws within it. That's the problem.

If you bring in a bill like this and you say, "There will be no debate about amendments. There'll be no amendments necessary," what you're saying is that the bill is right; it's perfect and there are no problems with it right from the start. Frankly, nothing works that way in human

society. No matter whether we are premiers or members of the opposition, members of the cabinet or members of the back bench, we all at times make mistakes. That's why we have system set up that allows us to catch those mistakes and correct them in committee. Your time allocation motion is preventing that with Bill 161. It's a major mistake and it's unnecessary. That's why it's so unfortunate. That's why I regret what you're doing.

The Deputy Speaker: Is it the pleasure of the House that the motion carry?

All those in favour of the motion, please say "aye."

Those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members; a five-minute bell.

The division bells rang from 1759 to 1804.

The Deputy Speaker: Mr Sterling has moved government notice of motion 54. All those in favour, please rise one at a time.

Ayes

Arnott, Ted	Grimmett, Bill	Ouellette, Jerry J.
Baird, John R.	Guzzo, Garry J.	Palladini, Al
Barrett, Toby	Hardeman, Ernie	Parker, John L.
Bassett, Isabel	Harris, Michael D.	Preston, Peter
Beaubien, Marcel	Hastings, John	Rollins, E.J. Douglas
Boushy, Dave	Hodgson, Chris	Ross, Lillian
Brown, Jim	Jackson, Cameron	Runciman, Robert W.
Carroll, Jack	Johns, Helen	Sampson, Rob
Chudleigh, Ted	Johnson, David	Saunderson, William
Clement, Tony	Johnson, Ron	Shea, Derwyn
Cunningham, Dianne	Jordan, W. Leo	Sheehan, Frank
Danford, Harry	Kells, Morley	Smith, Bruce
DeFaria, Carl	Klees, Frank	Spina, Joseph
Doyle, Ed	Leach, Al	Sterling, Norman W.
Ecker, Janet	Leadston, Gary L.	Stewart, R. Gary
Elliott, Brenda	Marland, Margaret	Tascona, Joseph N.
Eves, Ernie L.	Martiniuk, Gerry	Tilson, David
Fisher, Barbara	Maves, Bart	Tsubouchi, David H.
Flaherty, Jim	McLean, Allan K.	Tumbull, David
Ford, Douglas B.	Munro, Julia	Vankoughnet, Bill
Fox, Gary	Murdoch, Bill	Villeneuve, Noble
Froese, Tom	Mushinski, Marilyn	Wettlaufer, Wayne
Galt, Doug	Newman, Dan	Wilson, Jim
Gilchrist, Steve	O'Toole, John	Wood, Bob

The Deputy Speaker: All those opposed to the motion, please rise.

Nays

Boyd, Marion	Curling, Alvin	Martin, Tony
Bradley, James J.	Duncan, Dwight	McLeod, Lyn
Brown, Michael A.	Kormos, Peter	Patten, Richard
Caplan, David	Lalonde, Jean-Marc	Phillips, Gerry
Christopherson, David	Lankin, Frances	Pouliot, Gilles
Cleary, John C.	Laughren, Floyd	Silipo, Tony
Colle, Mike	Lessard, Wayne	Wildman, Bud
Crozier, Bruce	Marchese, Rosario	Wood, Len
Cullen, Alex		

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 72; the nays are 25.

The Deputy Speaker: I declare the motion carried. It being past 6 of the clock, this House stands adjourned until 6:30 of the clock.

The House adjourned at 1809.

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of Ontario**

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Tuesday 2 December 1997

Mardi 2 décembre 1997

Speaker
Honourable Chris Stockwell

Président
L'honorable Chris Stockwell

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 2 December 1997

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 2 décembre 1997

The House met at 1830.

ORDERS OF THE DAY

FAIR MUNICIPAL FINANCE ACT, 1997 (No. 2)

LOI DE 1997 SUR LE FINANCEMENT ÉQUITABLE DES MUNICIPALITÉS (N^o 2)

Mr Baird, on behalf of Mr Eves, moved third reading of the following bill:

Bill 149, An Act to continue the reforms begun by the Fair Municipal Finance Act, 1997 and to make other amendments respecting the financing of local governments / Projet de loi 149, Loi continuant les réformes amorcées par la Loi de 1997 sur le financement équitable des municipalités et apportant d'autres modifications relativement au financement des administrations locales.

Hon Norman W. Sterling (Minister of the Environment, Government House Leader): Mr Speaker, I would seek unanimous consent to share the time equally among the three parties.

The Speaker (Hon Chris Stockwell): Is there unanimous consent to share the time equally among the three parties? Agreed. Mr Baird.

Mr John R. Baird (Nepean): At the outset of my remarks, I would like to say that I'll be sharing my time with the member for Northumberland and the member for Durham East.

I'm pleased to rise to speak on third reading of Bill 149, the Fair Municipal Finance Act. The current property tax system in Ontario is unfair and out of date. Previous governments of all political stripes, be they Conservative, Liberal or New Democratic Party governments, have attempted to deal with this issue. They have attempted to address the fairness in the property tax system across Ontario. This inaction has resulted in significant tax inequities.

The government is taking action to fix the inequities and provide all Ontario taxpayers with a new system that is fair, consistent, understandable and accountable. The new system is based on a simple principle of property tax fairness. Property owners who own similar properties of similar value in the same community will pay similar taxes. All assessments across Ontario are being updated so that they are fair and consistent and, most importantly, understandable for taxpayers.

Municipalities will have more flexibility and autonomy in responding to local priorities. They will be able to change tax rates to achieve greater tax equity among classes of properties, assist small businesses by reducing taxes on lower-valued commercial properties, phase in the impacts of assessment reform over a period of up to eight years, and tax new rental apartments at a lower rate to encourage the construction of rental housing. Low-income seniors and low-income disabled persons will be protected from assessment-related tax increases. The unfair and obsolete business occupancy tax will be eliminated. Property taxes will be cut for eligible farmers and woodlot owners. Eligible conservation land will be exempt from property tax.

Bill 149, coupled with reforms already passed in the Fair Municipal Finance Act, will give all Ontario property owners a system of property assessment and municipal taxation that is fair, consistent, understandable and accountable.

We all have listened. We have listened to the advice put forward by business, by municipalities, by not-for-profit organizations, small businesses and others. Bill 149 introduces specific measures that respond to the feedback that we, as a government, received.

We amended the original Bill 149 to provide for legislative tax reductions for vacant commercial-industrial lands and units; established a level playing field for live theatres by ensuring fair tax treatment of publicly owned theatres used mainly for non-profit productions and those used mainly for commercial productions, supporting the viability of small, privately owned live theatres by providing them exemptions from property tax like the exemptions afforded to their public counterparts; and clearly defined which charitable organizations qualify for property tax rebates while allowing municipalities flexibility to extend this benefit to other similar organizations.

Ms Frances Lankin (Beaches-Woodbine): On a point of order, Mr Speaker: Is there a quorum?

The Speaker: A quorum count.

Acting Clerk at the Table (Mr Peter Sibenik): Speaker, a quorum is not present.

The Speaker ordered the bells rung.

Acting Clerk at the Table: A quorum is now present, Speaker.

The Speaker: Member for Nepean.

Mr Baird: As I was saying about the amendments that the government proposed and that are included in the final draft of Bill 149, they also help to clearly define which charitable organizations qualify for property tax rebates

while allowing municipalities flexibility to extend this benefit to other similar organizations, and for the creation of nine geographic regions to improve the tax treatment of rights-of-way properties.

I think we can all look at our own constituencies and see the inequities. In my home community of Ottawa-Carleton, we went through a property tax reassessment a few years ago and we used values in 1988 terms. Even using 1988 values, there are considerable inequities, so I can only imagine what it's like for my colleagues in some parts of Metropolitan Toronto where they are operating on 1941 values: a tremendous inequity there.

I talked to one property owner in my constituency whose property since the real estate high of 1988 has gone down by some 40%, and yet a commensurate reduction in his property taxes has of course not been effected. It's a tremendous inequity to ask someone to pay those property taxes on a property that's worth some 40% or even 50% less than it was in 1988. This is a particular concern among many constituents in my riding, and that's based on 1988 values, so you can only appreciate what it must be like for those with 1941 values.

Some of us have heard the horror stories of the tremendous inequities, some properties worth \$600,000, \$700,000 and \$800,000 paying extremely low property taxes. Who picks up that difference? Who has to subsidize the owner of the \$800,000 or million-dollar home who is paying a pittance in property tax? They go to the same people they always go to: the young, hardworking, middle-class families in suburban Ontario, a family maybe starting out with their first home; it might be a town house or a single-family home. What do they do? They say, "We'll just ask that young, hardworking family earning \$45,000 or \$50,000 a year to dig a little bit deeper in their pockets." That is something that causes great concern, I know, to all members of the House. There has to be equity and fairness, particularly for the hardworking young families who have struggled for many years just to be able to purchase their own home and who then face a whack of property taxes that is so inconsistent across the municipality in which they live.

Many of my colleagues will know of stories in their constituencies, particularly the effect that it has on the first-time homeowner who has to struggle and pay a disproportionate share of property taxes. This is why it's important that we go to a fair property tax system that's equitable and where there's some comparability between the person with a \$1-million home and the person with a \$120,000 or a \$150,000 home, that there's some parity there, some degree of equity. That's extremely important, particularly for many parts of suburban Ontario, where a lot of young families are starting out.

1840

When passed, the measures in Bill 149 will ensure a smooth and efficient transition to a fair property tax system for all property owners in Ontario. As a government, we will continue to be open to advice as we proceed with the important task of improving Ontario's property tax system. This government is committed to the principle of

fairness and consistency. By delivering on this commitment, Bill 149 will help to reduce the barriers to investment and economic growth and improve Ontario's long-term economic competitiveness.

The Speaker: Member for Northumberland.

Mr Doug Galt (Northumberland): I'd like to compliment the member for Nepean for an excellent presentation on Bill 149, the Fair Municipal Finance Act (No. 2). We have had a very complicated property tax assessment system here in Ontario. It dates way back to 1941.

The Speaker: Member for Northumberland, I'm sorry. I think you have unanimous consent to split your hour, but it goes in rotation once you're finished.

Ms Lankin: No, that's okay.

The Speaker: You want unanimous — okay, fine. Member for Northumberland.

Mr Galt: How would you like it, Mr Speaker? Would you like me to continue or would you like it to rotate?

The Speaker: No, we got unanimous consent for you to continue.

Mr Galt: Thank you very much, Mr Speaker. As I see this Bill 149, it's going to be a property tax system that's going to be fair, that's going to be more equitable, more consistent. It's going to be more manageable and certainly more understandable, and by a long sight much clearer to the taxpayer.

This bill is following in on the heels of Bill 106, and Bill 106 clarified an awful lot of the assessment problem here in Ontario. If you looked at the assessments in years gone by, some municipalities had assessments based on various years from 1941, some were in the 1970s, some were current; it was a real checkerboard. As I looked at the 15 municipalities in Northumberland, they had this whole mix. We had two that were up-to-date market value assessment, but many of them went back to 1941. Some were in between.

What do you do with this when you start looking at what you pay to the school boards, what you pay to the county? So they roll in equalization factors. There are several different equalization factors for different reasons and different purposes. The town of Campbellford came to me a while ago and thought this was very unfair as they compared their school rate with the counties next door and the municipalities around them, and I foolishly said, "We'll dig into it."

I had an executive assistant on staff with me at that time who had both an undergraduate and a graduate degree in mathematics, and I thought there would be no problem sorting this out, but four or five months later we still were unable to get to the bottom of all these equalization factors. It was so complicated that even people in the Ministry of Education had great difficulties following all these various factors. So really it's time to get on with it and come up with a system that is fair, one that's easily compared, and that is the system we have brought in with Bill 106.

I think people generally agree that properties should be comparable when it comes to taxation, that there should be some basis there, and it certainly is long overdue. As I

look at my own situation, owning an older home, my property taxes are probably going to go up as a result of that bill, but on the other hand, what's fair is fair.

Previous governments, both provincial and municipal, looked at this market value assessment and how to handle it, and generally they were unable to — it was too political, too sensitive, and so they backed off. It was our government that rose to the challenge, took it on and passed Bill 106, which received royal assent back on May 27, 1997.

It updated the schedule for the usage on the rolling averages to come up with the assessment rate. It repealed the business occupancy tax. It prescribed classes for real property and restructured the property assessment appeal system. Bill 106 set a base for the present bill that we're discussing, Bill 149. Bill 149 is building on this platform. I should also mention that in Bill 106 there was protection for low-income seniors and for the disabled. It had the flexibility to phase in those changes in the property tax.

Ontarians have told us they wanted reform in the tax system. Ontarians have told us that the current system is outdated, inconsistent and unclear. It really isn't very understandable. That was certainly the experience that I found as I looked into the tax base and the problem the town of Campbellford was having. This government is implementing these changes to clarify and make it more consistent and more understandable.

I'd like to look for a few minutes at just a few examples that are in this bill. The first one is tax reduction for certain subclasses of properties; for example, land held for development and still being farmed. Of course, farming is close to my heart, having been raised on a dairy farm. Seeing some of these lands being developed, it's very important that they be used for agricultural purposes as long as they possibly can.

There's been a big difficulty with municipal councils as lands were being developed as to when they should upgrade the assessment on those lands from agricultural to commercial or industrial. This bill will allow for three subclasses of farm land while they're awaiting development and working their way through. It's a staged approach versus the old one, where it was more or less all or none and there was a big jump all at once. This encourages bona fide farming lands to be used that way while they are awaiting development, and as preparation occurs, as they move into development, they can move through these various subclasses of assessment. It also recognizes that there's a real balance here, and a balance is required, between farm land and bona fide farm practices and the development as it moves ahead, and it does so in a more affordable fashion: good for not only the farmers but also the developers.

There's similar recognition in dealing with vacant commercial industrial land and also as we look at vacant units and excess land for commercial and industrial property. This clarifies the tax reduction when there are vacancies. For commercial, for example, there's a reduction of some 30% in taxes or the taxes are 70%, and for industrial the reduction is some 35%, meaning there would be taxes

of 65% when they're vacant. That just adds up and is common sense.

Charitable or similar organizations occupying commercial or industrial property: This would be a regulation that will allow municipalities to rebate taxes to eligible charities or similar organizations. It will allow them to rebate up to 40% of the portion of the taxes that particular organization would be using within those buildings. This reduction would of course be shared with both the upper-tier government and the school board.

This is long overdue. This should have been in place a long time ago for organizations like the United Way, for example, that have offices or for organizations such as a food bank. I'm sure the member for York South will be very sympathetic to this concern with a food bank as he used to work in one.

Also, in recognizing the charities, this recognizes the efforts of volunteers. This country is blessed by many, many volunteers. As a matter of fact, from some of the figures that I've seen, here in Canada we have twice the volunteer effort of any other country. I think that may be why Canada is considered as the most attractive country to live in. We need to break down the barriers for those volunteers and help them. I suggest that giving the municipalities the opportunity to reduce taxes on buildings and lands that charitable organizations are using will be quite a help to volunteers.

Also in this bill there's tax relief for live theatres. I'm sure many members sitting here this evening have live theatres in their ridings. They're a great source of entertainment for people who live in your riding. They're a great attraction for tourists and they provide all kinds of opportunity for actors and actresses to perform, and it's also recognition of that industry that's really been flourishing here in Ontario in recent years.

1850

This bill also levels out that playing field for the live theatre and recognizes the for-profit versus the not-for-profit portions of that particular industry. This assistance in the form of a tax relief will help them compete, both in the domestic market and the international market.

One of the things that used to bother me very much when I sat on school board was payment in lieu of taxes. The local municipality could direct it where they saw fit and sometimes it just went to the local municipality and/or to the upper-tier municipality with none of it going to the local school board. Bill 149 will give the minister the power to set a regulation to ensure that grants in lieu of taxes will actually be shared by all three government bodies: lower-tier and upper-tier municipal governments, as well as the school board.

It's exciting in this particular bill that small business will be given some recognition. Municipalities will have the flexibility to provide some tax relief for small business. They're the ones who have been creating the jobs and stimulating the economy, and it'll be designed so there can be a tiered tax rate system. Small businesses, as I see them, really do deserve a tax relief. Small businesses have many, many challenges and problems, but they are the

businesses that create jobs in this province. They stimulate the growth and really today's economic boom here in Ontario has been driven by small business and by entrepreneurs.

There has been an excess tax burden and any kind of excess tax burden stifles investment and job growth. This government recognizes the vital role of small business and respects those businesses in our communities.

I often think of the power of taxation. The organizations that do tax, much like a parasite — and this may come from my background as a veterinarian, how I see parasites and what they do to the livestock that are infected by them. Parasites compete with their host for nutrients to survive, and if you have an overzealous parasite that really gets carried away, they'll kill the host. The end result is that the parasite dies too, but if you have a little more successful and efficient parasite, they compete and take some nutrients, let the animal survive and they survive too.

It all works as a very nice, symbiotic sort of relationship, and I see this government working very well with the host out there.

Ms Lankin: Is this a veterinarian speaking?

Mr Gerry Phillips (Scarborough-Agincourt): This is not in the script, is it?

Mr Galt: I finally got your attention. Thanks very much. I appreciate that.

We work with a host that can survive and produce and continue. But I look back at previous governments that had 65 tax increases over the last —

Interjections.

The Speaker: Order. I remind the member for Northumberland that we're debating Bill 149.

Mr Galt: I mentioned Bill 149.

The Speaker: I thought you thought you were on the Game and Fish Act. Bill 149.

Mr Galt: I was right on Bill 149 there, Mr Speaker, relating taxes to the problems and how the previous governments were killing their host of small business and entrepreneurs with some 65 tax increases over 10 years. The end result has been they were heading this province for bankruptcy, but in the meantime they had created bankruptcies for an awful lot of small industry and a lot of entrepreneurs. I was just drawing the comparison of a parasite killing its host, and that's exactly where this province was headed.

Ms Lankin: You're talking about the Tory government again; stop insulting your colleagues.

Mr Galt: The host that I'm referring to is small business here in Ontario. I'm referring to farming in Ontario and hosts such as the industry where some of your unions that support your party work. I'm talking about the host of small theatres and entrepreneurs.

In conclusion, Ontarians have told us that the current tax system needs fixing. Bill 106 did that and with 149 it builds on that foundation. Bill 149 is a system where it'll be fair, more equitable, more consistent for the Ontario taxpayers. It clarifies a taxation system that has been very confusing. It overcomes many inconsistencies. It affords

flexibility for the municipality to ensure there are changes to the system that are sensitive and reflective of the needs of the community and the citizenry. It recognizes the importance of charities, live theatres and small business to provide them with some tax relief. As the bottom line, this new system is easier to understand and fairer to the taxpayer.

This is the kind of leadership and initiative Ontarians are looking for on issues such as taxation. It reduces the barriers to investment and economic growth and stimulates Ontario's long-term competitiveness. I'm pleased to be part of a government pioneering in this kind of public policy and I'm very pleased to be able to support Bill 149.

Mr John O'Toole (Durham East): I'm pleased to follow the very appropriate comments made by my friend the member for Northumberland. Dr Galt comes from a long history of public service and I thank him for his comments.

When I was preparing for this opportunity to address not only the House but the people who may be watching tonight, I was impressed to read over the history of how many governments have actually attempted to reform the assessment system and to make it fair. All the terms that you're going to hear the other side use will be in fact, I suppose, supportive of the need for reform. Clearly in the past it has been discussed by previous governments using different formulas, but when it came to making tough decisions, they just simply could not deliver.

Ontario told us very clearly to fix the problem and we're fixing it. The Fair Municipal Finance Act laid out a foundation to bring fairness back into the property tax system. We did this by establishing the Ontario fair assessment system, which based the assessment of property in Ontario on current value and updated those values on a regular basis.

Starting out with a kind of an elementary beginning: One very important change is the business occupancy tax, long outdated. In fact, we've brought it into the new era and the BOT, the business occupancy tax, is an important change once again we've delivering.

We're protecting low-income seniors and disabled persons. We're giving municipalities flexibility to phase in property tax changes to suit local needs. It's very important that we examine in this bill fair municipal finance as well as assessment. Obviously, they work together. It's another step towards making the entire tax system fair, all of the tax system, where possible, of course, to reduce taxation.

We have listened to the advice that has been put forward by business, by municipalities, by non-profit organizations and other groups. The bill incorporates much of the advice from the public over a long series of consultations. It will clarify tax treatment of certain types of special properties as Mr Galt as mentioned, but most important, in my riding of Durham East the reform to the farm tax system has been long overdue.

The farm tax rebate system is something that was cumbersome, administrative and really benefited no one in the long run but just created a lot of red tape. The bill will

give municipalities the choice to set up a three-tiered tax system so that they can tax lower-valued commercial properties at lower tax rates. It will also allow municipalities to rebate non-profit organisations occupying space in business properties.

The measures in this bill will ensure a smooth and efficient transition into a fair property tax system for all property owners in the province. During the transition period, municipalities will have the choice of allowing, as I said before, a phase-in, and people have to recall the important adjunct bill, Bill 160, where the province is making the switch with the residential tax base paying a much smaller share of the cost of education in a fair approach to funding education. So this assessment system is part of the new municipal finance system as well.

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In similar aspects, the whole issue of fairness — as I go through and I look at some of the 826 municipalities, 775 towns and villages representing 91% of the assessment value in the province will certainly experience what is expected, lower taxes. That's ultimately what you would expect. But if you look at the municipal level, with the new assessment system you would not expect to see the municipality as a net beneficiary, that is, more revenue. Some taxes will go up and some will go down. Certainly the outcome will be revenue-neutral for the municipality. What it means is everyone will be paying their fair share.

If you look at some of the specific sections of the bill, the tax reductions for certain subclasses are an important establishment in this bill. The subclasses for farm lands awaiting development and for certain theatre groups in the city of Toronto will provide much-needed relief.

Tax reductions will be 30% for subclasses of commercial property and 35% for subclasses in industrial properties with an option for municipalities to have a single rate of 30% to 35%.

The graduated tax as well is a much-needed improvement. It's important to add that there are nine geographic areas in the province which again will address specific needs in each one of those areas, and this is dealing with the utility lands and railway rights of ways.

Taxation on international bridges and tunnels; provisions for taxation for municipal purposes: This is something new and something, of course, that has been long overlooked.

Gross receipts has been one of the areas where some municipal politicians have asked what's going to happen to this piece of their revenue. In fact, we're assured today by both the Minister of Finance and the Premier that, as part of the municipal transfer payments or the whole municipal swap, if you will, that part of their revenue will be protected by the province.

Payments in lieu, as Mr Galt mentioned, is another long-outstanding sort of inequity. A new provision will provide a much more predictable model of payment for the municipal tier of government.

If I had some more time, I would actually like to comment on other persons' input on this legislation. I was very fortunate to find in the archives a small comment was

made by the member for Scarborough-Agincourt. This was part of his 1990 campaign material. I thought it was quite interesting because I'm looking at the document here and he's pictured with the then Premier, David Peterson.

Interjection: Peterson?

Mr O'Toole: Yes. I think he was at a barbecue by the looks of this picture here. I'm going to read his comments in his election material under the title "Property Tax Reform":

"Honouring Metro Toronto's request, the provincial government has taken the necessary steps to permit Metro-wide reassessment of property tax under a new assessment system. This will ensure equity of tax burden between newer and older homes, most importantly bringing substantial savings to taxpayers of Scarborough-Agincourt."

There you have it. I'm sure my good friend Mr Phillips, who's well respected in the House for his sage comments with respect to financial issues, will be supporting this. If I was to follow through with further comments from this little page here, he seems to be enjoying himself.

The 50-year history in Ontario shows this reform is long overdue. I believe the member for Scarborough-Agincourt will certainly agree with that. In fact, what is entirely different — and I might add by this little comment here, at the time they were in government and they had this opportunity, I think we looked at a couple of reports. The Fair Tax Commission came out of that conundrum of trying to determine the whole municipal finance and assessment system, but what's entirely different is this government promised it and this government is delivering on its promises. A promise made is a promise kept.

There is very little time here to comment further on this important piece of legislation, but I do want to make it clear to the House that Bill 149, which is the subject of the discussion — I will be supporting the bill in support of long overdue reforms.

The Speaker: Further debate? You've got 22 minutes.

Ms Lankin: You're not taking it, John? So let us know you're not taking it.

The Speaker: Further debate? The member for Scarborough-Agincourt.

Mr Phillips: I'm glad to join the debate. I will be sharing our time with three of our other members. I want to begin the debate on Bill 149 to say that without question there's no one in the province of Ontario who doesn't support changes in the property tax.

The Speaker: You know what? There's a bit of a problem. You see, the vote is at 9:15, so you have 22 minutes left. What we'll have to do is take your 22 minutes and split it between the two opposition parties.

Interjections.

The Speaker: But we've agreed to a 9:15 vote. There are members out there who think —

Interjections.

The Speaker: Yes, but you see it's pursuant to the time allocation motion. The vote is supposed to take place at 9:15.

Interjections.

The Speaker: Can the two opposition parties split the remaining time? The member for Nepean.

Mr Baird: Could I ask unanimous consent to put the additional government time at the end of the evening? At that time we could present a unanimous consent request to defer the vote. At this time could we request the government's time, 22 minutes, to be put to the end of the day?

The Speaker: No, it just isn't that simple. We're under a time allocation motion. We have to have the bell. Then there's a procedure for deferring the vote. You either give them your time or use your time, but you've got to do one or the other.

Mr Baird: We request to put the government's time till after the New Democratic Party.

The Speaker: You can do that. Is there unanimous consent to postpone the 20 minutes now till after the two opposition parties? Agreed? Agreed.

Mr Phillips: I assume we have 54 minutes. I want to begin the debate on Bill 149 by saying that I don't think there's anybody in the province who doesn't support property tax changes and the need to change the system. I've said that consistently; I've always believed in the change.

I want to begin by saying I'm not sure the government members appreciate what these bills do. I will quote the Association of Municipal Clerks and Treasurers. These are the financial officials who have the responsibility for implementing the property tax changes. Here's what the clerks and treasurers of Ontario say: "This new system will be immensely complicated by the institution of some 84 classes and subclasses of property and up to 156 tax rates. The combination of these factors will undoubtedly increase the complexity of the property tax system rather than streamline it."

It's extremely important to register that because this bill actually makes the property tax system more complicated, less streamlined, than it is today. Those are the clerks and treasurers of Ontario making that statement. That is a professional, respected body of people who have the responsibility for implementing it.

By the way, they give the government warning here: "Implementation on January 1, 1998," of the property tax system, "is a high-risk situation for the stability and financial health of the municipal sector. There are some municipalities in Ontario that simply will not be able to cope with this situation."

That's the second thing I want to say. In typical government fashion, Harris fashion, this has not been well planned and well thought out, and the municipal clerks and treasurers, in as strong a language as bureaucrats can use and do use, have warned us of that.

They go on to say — and this is a serious issue — "The association of municipal clerks and treasurers finds overwhelming the amount of regulations to be set by the minister and the extent of the minister's involvement in a process that is supposed to be municipally driven."

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The reason I say all of that is I know the government caucus has been told by the Premier that this system is

going to simplify things, this system is going to make it easier. The people who have looked at it, the clerks and treasurers, say it won't. It is immensely more complicated.

One of the government members said this bill will help small business. Let me tell you, it doesn't. What's happening is that the business occupancy tax is coming off. That's roughly \$1.6 billion. It is going to be added back on to the realty tax on commercial and industrial properties. The business occupancy tax is paid in varying percentages, as I think the members know. I will generalize and say small business tends to pay a smaller percentage on business occupancy tax; for example, small business would pay 30%, the banks 70%.

I will just tell you, I've had the first warning shot. A businessperson faxed me earlier this week. They got their tax bill from their landlord for January. What's happened is all the landlords in the province are now going to have to pick up what was formerly paid in business occupancy tax. This is a small business. This is a business with 14 people. The business occupancy tax is being put on to the realty tax and I think probably fairly. This person's property tax will be going, with that single issue alone, from \$44,000 a year to \$48,000 a year, roughly a 9% increase in tax.

The reason I raise this is that one of the members said that small business will benefit. That is not true. Mr O'Toole had it right when he said it will be properties valued at a low level. In other words, it will be landlords of smaller properties that will benefit, not small businesses, if you follow that. The government has said, "We are going to allow different tax rates," not on the size of business, but on the value of property. In this particular case, this is a small business, 14 people. It happens to lease space in a larger building and it is going to be hammered.

I say to the government members, if you've been told there's protection for small business in this bill, then you haven't been told the facts. Across Ontario this week businesses are getting notices like this. I will say to the members, we'd better wake up.

The third point I want to make is that by regulation — and one of the Conservative members mentioned this; I think Mr O'Toole mentioned it — Bill 160 will determine the majority of property taxes for businesses. For all the businesses in Ontario, when you look at your property tax, well over half of it will be determined because well over half will go to education. None of it's coming off education. All that will be determined by regulation by the Premier. There will be no debate on it, there will be no setting of the mill rate, there will be no opportunity to go to your local council and let your voice be heard. It will all be set by regulation.

Here's what's going to happen in 1998. The clerks and treasurers told us this. There will be no tax bills go out until at least July. There'll be an interim bill but based solely on your 1997 taxes. All of the municipalities have told us that it will be at least July before the tax bill goes out, in many cases later than that. It's going to take them that long.

Guess what? The final date to appeal your 1998 property taxes is June 29. I can guarantee you that there are going to be huge changes in property taxes in 1998. This is a landlord anticipating them, but the landlord, he or she, is estimating what's going to happen. They will not know until July or August.

Here's what I actually think will happen. I think people across the province on a wholesale basis are just going to immediately appeal their taxes without even seeing the tax bill. The government told us there are going to be 500,000 appeals. I suspect it's going to be dramatically higher than that because by the time you get your tax bill it's too late to appeal. So people will be appealing before they get their final tax bill.

It seems to me the government is being foolish here. We proposed an amendment in Bill 149 to say, for 1998 why not allow people to appeal their property taxes up to eight weeks after they get their 1998 final tax bill, just for one year, so that at least you eliminate some of the anger? I don't think there's anything that's going to make property taxpayers more angry than getting a bill, finding that their property taxes have changed dramatically and then being told it's too late to appeal. It's almost as if it's a trick. I'll get my bill in July, I'll phone up and, "Sorry, you've missed the date of appeal by a few weeks."

I wanted to raise that in terms as strong as I can. As I said at the outset, everybody is in favour of change in property tax, but the problem with the implementation is that it is being screwed up and we are jeopardizing an opportunity to revise our property tax system on the basis of fairness by the screwups that are in the bill.

The fourth thing I wanted to say is that I come from a business background, as many of the members of the Legislature do. We're being asked to make a decision, a huge financial decision here. Here's an example: My friend, the individual who sent me this, a business with 14 people, but you can see, \$48,000 of the expense of that business is just strictly property tax. A huge bill across the province for businesses. It's a decision of about \$5.5 billion on residential; it's a decision of I think \$7 billion or \$8 billion. We're being asked to make that decision, and not one of us has seen a study of how it's going to impact. I know why. I can only assume the government has done studies. I don't think they would embark on this without. They know from experience that if you tell people what it's going to do to their property taxes, you've got a firestorm, so the decision was made to hide that from the people. Frankly, all we can do, all of us in opposition and I dare say the government backbench members, is to try and anticipate what the impact of this is going to be.

We have to rely on some of the professionals. I repeat, the people who, in our opinion, know it the best are the association of clerks and treasurers. They're the people who, year after year, deal with the setting of the tax rate; they're the people who send the bills out; they're the people who deal with the whole issue. They've given us, as I said, in as clear language as possible, warnings. They've told us that the combination of things that the government is doing here will increase the complexity of

the property tax system rather than streamline it. They have said that it is being implemented without proper planning and there are some municipalities in Ontario that simply will not be able to cope with this situation. They have said their association finds overwhelming the amount of regulation to be set by the minister.

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On that regulation point, I talked earlier about the fact that with the stroke of a pen the minister will set \$6 billion worth of property taxes. I don't care who's in power: That is something that should not be done; it should be something we debate here in the Legislature. I said when Bill 164 was introduced, that implements probably \$30 million worth of taxes. But it's all done through legislation. We'll have a debate on it, we'll have a vote on it and the public will have some opportunity for input into it. Certainly, organizations and the public right now have seen the bill and they're responding to it. But we're not going to do that with the \$6 billion of property taxes on education. That's going to be with the stroke of a pen.

Furthermore, Bill 149 gives the minister power to set 25 different tax issues by regulation. That's where the clerks and treasurers made those two points: (1) the amount of regulatory power is overwhelming; and (2) we've been told this simplifies the system. The clerks and treasurers said: "You're wrong. Take a look at it. It complicates it." It is adding, as they say in their presentation, 84 classes and up to 156 tax rates.

I might say, on a purely political note, I wonder at the political wisdom of doing all of this by regulation, because I guarantee you that the government is going to be held accountable. When businesses get their property taxes, then it's the Mike Harris property tax.

I was mildly amused that Mr O'Toole was reading a comment of mine from I guess 1990. That's what I said then; that's what I said before then; that's what I say now. We need to change the system. I still do that. I said that before the election; I said it after the election. I contrast that with what Al Leach said before the election and after the election.

You read my comments, which are supportive of change. Al Leach said: "To the homeowners in Cabbagetown, Moore Park and Rosedale, my party and I will never support the imposition of market value assessment in Metro Toronto." That was Al Leach.

I will tell you right now, if you look at the definition of current value assessment in the current bill and market value assessment in the old bill, they are word for word for word. But Al Leach said before the election — and that's how he got elected. Believe me, in Rosedale Al Leach would have been toast if they had known about Bill 106 and Bill 149. He'd still be — I was going to say he would still be at the TTC, but maybe not. Be that as it may, Mr O'Toole, I said my position before the election, I say it after the election. The problem is that before the election Mr Leach said one thing and another thing after the election.

As we move now into 1998 and the implementation of the property tax system, I've outlined, and the clerks and

treasurers have outlined, some of the significant problems that we are going to see with this Bill 149/106. As a matter of fact, we have before us in Bill 164 amendments already to Bill 149. So here we are debating the bill tonight and Bill 164, introduced just a few days ago, attempts once more to try and patch the bill up.

Finally, there are within the bill several interesting and questionable issues. The bill purports to treat all property equitably. Well, the bill says that an acre of rail land at the corner of Yonge and the Gardiner, prime real estate, will pay exactly the same property tax as an acre of CP land in Pefferlaw. They're going to pay exactly the same taxes. I say to the government members, if the logic of this bill is that no matter where you are, if the value of your property is X you pay X, tell me again why an acre of land that CP owns down at the corner of Yonge Street and the Gardiner, some of the prime real estate in North America, will pay exactly the same amount as an acre of land in Pefferlaw?

On these property tax bills, the fuse has been lit. The planning went from, originally, a good idea to simplify and to upgrade the property tax system into chaos. We've been duly warned by our professional bureaucrats of the chaos. Unfortunately, it's a missed opportunity. The fuse is lit and is scheduled to go off probably in July and maybe in August. One hates to say I told you so, but we've been for some months warning that this bill is poorly designed, poorly drafted and will cost all of us credibility when it hits the streets.

Mr Alex Cullen (Ottawa West): I'm very pleased to follow on the comments of the member for Scarborough-Agincourt on this bill. I don't know how many members in this chamber have gone through market value assessment. I was a member of the regional municipality of Ottawa-Carleton when, in 1992, we did go through market value assessment, and I can tell you that there were winners and losers. Looking at this particular piece of legislation, with all the change it is purporting to make, there will be winners and losers across Ontario.

The thing is that even though my friends opposite may point their finger to the municipal level, it's a massive shell game with taxes, downloading, this and that and the other, the assessment changes here. The people who have to pay their property tax and can see the difference in terms of their assessment as well as the difference on the mill rate — which is the tax that's applied to the assessment, which ends up being part of the cheque they pay — they will be able to tell that something has been perpetrated on them.

In Ottawa-Carleton market value assessment drives out single-family homes in the downtown, drives out small businesses in the downtown. Why? Because current value, as the member for Scarborough-Agincourt said, is exactly the same as market value. Current value means that for those communities down there in the downtown area, they are going to have to pay the tax not for what they use the land for, but what it's valued at. Your small mom-and-pop little businesses — I can think of Byward Market where we have a tourist attraction based on small businesses —

are going to be driven out. The big chains are going to come in. We're going to lose the panache that makes the Byward Market such a tourist attraction. You'll just have to wait for reassessment so many years later for the taxes finally to catch up to the damage done, and we've lost something.

Similarly, with single-family housing downtown we can't live in the downtown without residential homes. We can't afford to live in a ghetto which empties out at 5 o'clock at night and there's nobody there. We know that's a recipe for crime, a recipe for urban decay, but indeed this is what is happening here.

The member for Scarborough-Agincourt suggested this is an extremely complex bill. In the name of simplicity, which I heard the members opposite speak about in terms of reform, we all want to reform property tax. It is a very iniquitous system. It's not based on ability to pay. I find it absolutely amazing that, on the one hand, the government says, "We want a fair property tax system," while in reality the bill complicates life something horrible, yet on the other hand they are downloading, offloading all these services on to the property tax base.

Let's make it clear what's going to happen in Ottawa-Carleton. Currently in Ottawa-Carleton we have three tax classes: residential farm, multiresidential and commercial-industrial. The new system that's going to come into place has seven classes and subclasses on top of that. Residential farm, multiresidential, commercial — oh, excuse me, there's a separate rate for commercial vacant land. Oh, excuse me, there's another separate rate for commercial vacant building and excess land. Industrial; industrial vacant land — that's a separate rate; industrial vacant land and excess land, that's another rate; pipeline; farm land; farm land awaiting development — oops, that's a new category; managed forests.

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As was mentioned earlier, this is going to make life extremely complicated. The current system we have today in Ottawa-Carleton has two tax rates: the commercial mill rate and a residential mill rate, which is set not to go below 85% rate of the commercial rate. The new system will create a set of tax ratios and rates matching the tax classes set above. So if you have all the seven subclasses, you're going to have rates for all these things. It's ridiculous.

What is going to happen? I mentioned earlier the impact that it had in Ottawa-Carleton where there were thousands of cases of winners and losers, thousands of cases of appeals being made. Yes, we could try to phase things in, we did so at the region, but all you're doing is postponing the inevitable.

What happens here? You're going to find, in the municipal portion of your tax bill within the property class within the municipality, shifts; between property classes within the municipality, shifts; in the regional portion of your property tax bill within your property class across the region, shifts. Consider: What is the property taxpayer going to do? He or she is going to say: "Did my assessment decrease more than other properties in the same tax class or did it increase more? Is this fair?" Because of all

of these shifts and changes in what's going on, they're going to come to the sad conclusion that indeed it's not fair and they're going to call. Who are they going to call? Not their councillor, because it's assessment that's changed as a result of Bill 149.

Here's something even more interesting. My friend from Nepean will recognize this situation, and that's payments in lieu of property taxes. The treasurers and the municipal treasurers in Ottawa-Carleton went and hired a consultant to put together a report to present to the standing committee that dealt with this particular issue, the Hemson report.

Let me just talk about payments in lieu. I heard the member for Northumberland say it's not fair that municipalities calculate payments in lieu from, say, the federal government, and in Ottawa-Carleton of course the federal government being such a major player, these are millions of dollars, as a matter of fact \$65 million, but the education portion is calculated in that and it's not fair that that money does not go over to the school boards. Yes, that's true. That has historically been so.

What you're going to do now is change the ball game because for all these years the school board, not having that money, went to its property tax base, and the municipality, having the money, kept property taxes low. Sorry, guys, your Bill 160 took away the ability for school boards to levy taxes, so no savings there whatsoever. They won't get a penny of this. It goes into the provincial pot and, lo and behold, municipalities are left holding the bag.

Let's just talk about the residential side, the residential education portion of the federal and provincial payments in lieu for local purposes in Ottawa-Carleton. As the new residential education tax rate will be approximately half of the former rate, according to Bill 160, municipalities in Ottawa-Carleton will lose approximately half of the education component of residential payments in lieu from their local purpose budget.

In Ottawa-Carleton that has been estimated to be about \$3.5 million. Maybe we can all survive on \$3.5 million, but this goes into the pot with the loss of the Ontario municipal support grants and all the downloading that's coming, with all the changes on social assistance, social housing, public transit, the list goes on and on and on, and you whap them with this. I mean they've already gone through two years of blood on the floor making do with the cuts that this government has already levied against the municipalities.

Let's take the commercial side because, don't forget, the commercial side does not see its property tax for educational purposes halved. It does not, yet it's going to have to shoulder the burden of everything else that's going on with downloading. Now look at it. The current legislation allows municipalities to apply the great majority of payments in lieu amounts raised from the commercial education mill rate component to local purposes. In other words, this money is helping to pay for snowplowing, sewer maintenance, sidewalk maintenance, road maintenance, all that fundamental good stuff that property tax should do.

Within Ottawa-Carleton municipalities the commercial education mill rate currently generates approximately \$63 million in non-residential payments in lieu every year which are applied as a source of revenue to local municipal budgets. The loss of these commercial payments in lieu would increase taxes across Ottawa-Carleton in amounts as high as \$210 per home in the city of Ottawa, \$140 per home in Gloucester and a similar amount in the city of Nepean.

This is a change from Bill 160. This is what's happening with Bill 149. You're going to make these things happen. The member for Scarborough-Agincourt is bang on. This hasn't been thought through. It is a complex thing. You're going to stand up and say, "At least we've got the guts to do it." Oh, my Lord, the guts to do it wrong.

The phone calls will come. I tell you, I've been there. Going through market value assessment, which was a necessary thing to do in Ottawa-Carleton, created great dislocation and, as much as we try to smooth things over, it hurts and it hurts big time. It's going to hurt big time across Ontario. There are going to be winners and losers and these phone calls are going to come through and we're going to simply point to Bill 149 and say, "Look, you didn't think it through."

The government didn't think it through for all its talk about supporting small business. When that small business finds that its property taxes have gone up on the assessment side — never mind what's happening on the downloading side — as a result of your reforms, and they're trying to navigate their way through and find themselves going through all these classes and, what, just five miles away within the same municipality the same property is being treated differently, the phone will ring off the hook because paying tax is a business cost and you're not providing stability. You're not providing the ability to deal with this in a rational manner. You just want to do it all over all at once and hope the pain will go away. Good luck to you. I can tell you from the last municipal election in 1995 it was not the case.

Mr Richard Patten (Ottawa Centre): I'm pleased to speak on Bill 149. What I'd like to do is address an example of what this bill does not do and should have done if it was true to its title, and that was to be as fair as it has in the bill. It's called the Fair Municipal Finance Act, but I want to show you and illustrate an example where it's unfair and I would think that each member, when I give the example, will agree with me.

This concern was brought up as a matter of fact at the hearings for Bill 149. We brought this to the attention of the government and it has to do with the rebates to eligible charities. The member for Northumberland, Dr Galt, who's not here at the moment, addressed this before, and he said this bill was great for charities and it was going to be very helpful and useful. Let me tell you, it isn't, and I'm going to give you an instance where it's totally unfair. I have asked the parliamentary assistant if he might be able to help, but it may be too late now to do anything and, therefore, the consequences will be severe for certain

individuals in our community in the Ottawa area and probably in other areas as well.

Specifically, the instance I want to raise is one charitable institution, in this case a church, which is leasing to another charitable institution, which in this case is a shelter. The leasing charitable organization, which is called Daybreak, an extremely reputable organization, is not eligible for an exemption from property tax. In effect, we have a church leasing land to a group that is providing social housing. At the committee hearings on Bill 149, on October 21, the general manager of Daybreak, Mr Bob Grey, appeared as a witness. He explained the case, I thought, very well, the predicament that his organization is in. He said:

"For us it's very simple. It seems so anomalous as to be almost silly that with the three houses we have as a registered charity conducting charitable work, where we own and occupy them, we're exempt from the payment of property taxes, and in the instance of this one house, where we rent it from a good group of church folks and provide our social service, because we don't both own and occupy it, we're not exempt."

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What kind of logic is that? We have a church leasing a piece of land to a group that receives funding from the province for social housing, and in this instance we're talking about 10 women who are living in this home and who are supported by this organization that helps them with the particular personal problems they have. Some have had difficulties with substance abuse, alcohol, drugs, and some have difficulties emotionally and otherwise, some who have been abused, some who were on the street.

We have 10 women now who are getting their lives back together, and any of you would know the long lists of requests for social housing. What's going to happen? This group is required to pay \$18,000 a year on an extremely small budget. They can't afford it. They owe for two years now. They were hoping they would get some kind of a break under this bill, because if they had owned the house it would be tax-exempt, but because they are leasing it from a church, another charity, they must pay that property tax. You tell me whether you think that is fair. I suggest to you it is totally unfair.

I'd like to know what the minister is going to do about that. I know it's always possible to have a time-allocated meeting of the committee of the whole in the House — one amendment, 15 minutes maximum, to put in that reference. This is not involved. One of the responses we had from the minister's office was, "We're not sure if this affects all kinds of non-profits around Ontario." We're not talking about non-profits; we're talking about charitable organizations to charitable organizations. There are only two situations in all of Ottawa-Carleton, so perhaps there may be half a dozen throughout Ontario, if that. I don't know. I haven't heard of any other group coming forward.

We're talking about people — this organization, by the way, was formed by a group of seven Centretown churches. Their mandate was to address the shortage of affordable single housing for single adults with special

needs. I say to you that they may be closing. Perhaps this is a function of big government, but it seems to me somewhat innocuous to say the least, somewhat contradictory, that on one hand the province of Ontario finds it meritorious that this organization receives funding to help these individuals, in this case the 10 women who are in that home, they find it important enough to help them with the program, and on the other hand, they will be the direct cause of this organization having to close its doors. I suggest that we should not let that happen. There is nowhere else for these women to go. There is a long waiting list for this organization, let alone any other organization that provides special social housing for people with special needs.

That's my case. When I look at Bill 149 and I see that the bill is called the Fair Municipal Finance Act, it doesn't seem very fair to me, and I'm sure it won't be fair to see what's going to happen to those particular women and that organization that has been around for a long time. Let me tell you, you would be proud to be associated with them. I know this particular group in my community and in different parts of Ottawa, and they are an extremely honourable, hardworking, dedicated group of people who care about those who are less fortunate in their communities.

At the committee hearings when they made the presentation, the parliamentary assistant at the time said that he was taken with the presentation. He said: "We will take this into account very, very seriously. We'll consider it." Now, because of time-allocated bills, what happens? The government didn't even have an amendment to this, even though we had alerted them. In the event that the government didn't, we said as good Liberals, "Let us put in an amendment," because I'm sure that the government may have forgotten or perhaps wasn't responding to something perhaps less significant in terms of volume.

We put in an amendment, and what happened? Just vote yea, nay, yea, nay, because time runs out. All the NDP and all the Liberal amendments defeated; all the government amendments approved. You see what happens when we do this kind of thing and we work in this fashion. We lose our human touch. This is what distinguishes leadership. This is what distinguishes human government. You respond and you listen. This was a wonderful presentation, and I know that every member at that committee on every side of the House — I say this in a non-partisan fashion — was touched by that, and they said: "We've got to do something about that. That is not fair."

I would like to know what the finance minister is going to do, and I would like to know, if this bill passes without the support, what's going to happen, because we will have to do something to make sure that those 10 women who are in need and have a new start for the rest of their lives now will continue to be supported, because it looks very dim and very bleak for a very fine organization called Daybreak, which is certainly not getting a break to survive from this bill.

Mr David Ramsay (Timiskaming): I'm glad to have the opportunity to speak on this bill tonight because, as you have seen from my fellow Liberal colleagues, they

have brought up in their speeches tonight several glaring errors and omissions that this bill brings forward which I think are very serious. I think the point was made by my colleague from Scarborough-Agincourt earlier this evening that this government is moving so quickly, at such a fast pace, they're making so many mistakes that before us today in this House we have two bills that are here before us to amend two bills that are still here before us and yet to be passed. It is absolutely amazing that the gross incompetence of the Harris government forces bills to be brought forward to amend bills that have not been passed as yet. That is absolutely incredible.

There are vital items in Bill 149 dealing with municipal tax structure that are being brought forward to amend previous legislation. It is absolutely incredible. While there were complaints in the past that governments moved too slowly — and I think one of the slowest moving governments was Bill Davis's; he was very successful and you might say that was the right thing to do. We found when we came to government that we had a lot to do because of the inaction of the Bill Davis government, but at least in those days you didn't find all the gross mistakes that are being made here by the Harris government.

Interjection.

Mr Ramsay: It's interesting. There's Mr Chudleigh heckling me. He's one of these guys who'd like to see the trains run on time. They tried one of those governments in Europe a few years back and people didn't like that.

What people don't like, of course, especially these Tory members like Chudleigh over here, is that they don't want to see government —

Mr Ted Chudleigh (Halton North): You've been holding up California apples. You should be ashamed to hold up a California apple.

The Acting Speaker (Mr Richard Patten): Would the member for Halton North please come to order.

Mr Ramsay: The member for Halton North there is getting very exercised, as he usually does. He's one of the members over there who wants to see government run completely like a business. While we all agree that we can be more businesslike, and I think all governments in the last few years have endeavoured to do that and I'm sure there are more areas we can concentrate our efforts on to make it more businesslike, the fact is, government is not a business. Quite frankly, being a democracy is quite a messy thing, but that's the nature of democracy. It's something to work with people. It's not like being a CEO and being autocratic, which is fine in a business. That's fine, that's a business, but this is a democracy and in a democracy we should work with people. Boy, have you guys ever forgotten that. You've forgotten about working with people, and that's the essence of a democracy.

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The other thing about a democracy is that you try to work with everyone and not just govern for some. You tend to be governing for one particular class of people here in this province, and you're dividing Ontarians through this. That's basically wrong. You've gone completely away from your roots in your party, the tradition

that John Robarts and Bill Davis brought to Ontario. People of all political stripes understood that those people were trying to govern for all Ontarians. They were trying to do that. But you've been taken over by another party, the Reform Party, and you're governing for one class of people. That's evident in this.

It's not a business. You've got to start working with people and consulting with people, taking that time to work with the people of Ontario and move these reforms forward, but moving the reforms forward in consultation with Ontarians.

In these tax bills, in your authoritarian offloading, what you're doing is changing the culture of Ontario. Specifically, a lot of these changes are changing the culture of rural Ontario. Gross tax receipts are now being directly given to the provincial government. In the past, townships and municipalities charged 5% or 6% of the gross receipts of the telephone or telegraph lines and those revenues came to the township or the municipality. Those receipts now are going directly to the province. They're losing that. Many rural townships are dependent upon the gas pipeline that has come through their area. They've lost that now too. You're giving them a double and a triple whammy by taking away the farm tax rebate that used to go directly to those townships.

You're telling us here that municipalities across the board are not going to have an increase of property tax rates next year, but I'll tell you, you are going to find that big, rural municipalities are going to be very hard hit by your downloading. Those municipalities have never before had to pay for policing. The idea of equitable costing for policing is not a bad idea, but why should the Parry Sound region pay \$179 a household for OPP policing while my colleague from Kenora's area is paying over \$700 a household for policing? Your government years ago decided it was a great idea to have one-price beer across the province, but if you want equal police protection in northern Ontario versus the south, you've got to pay an arm and a leg to have the OPP come when something happens on your property or when there's a dispute in your community.

Where's the equity in that? What are you thinking about over there when you do that? No wonder you're dropping in the polls. No wonder people are angry at you. You're not treating people fairly. Everybody will take the pain if you dish the pain out equally, if that's the way you want to run government, but you're not dishing it out equally. You're discriminating against classes of people and geographic regions of people. They're angry and they're going to remember this, believe me. We're getting letters and phone calls, and they are angry at what you're doing. It's because you're moving so quickly that you're not thinking this out and you're not dishing out all the pain equally.

I'm not sure that in the two years you have left you're going to be able to patch this up. I know that's your plan. You're going to be finished your Common Sense Revolution by Christmas and then you're going to try to patch

this up and hope everybody forgets how shabbily you've treated Ontarians over the last few years.

While you give the bank president a \$150,000 tax rebate because of your 30% tax cut, look at what you've done to the middle class and the lower-paid people. There's Mr Ford laughing his head off about this, but you're causing class warfare out there. You're hurting low-income people and the upper-income people are doing just fine by this government. That's not the way you should be running a government. You should try to make sure that every one of our citizens can prosper.

I'm not one who believes everybody should end up the same, but everybody should have equal opportunity to prosper, and you're not doing that. You are penalizing people who are just trying to make a living. You penalize people with children who are struggling on social assistance. They were the first people you cut, at 22%, and all to pay for the bank president who wants the \$150,000 tax rebate. That's absolutely wrong, but that's the type of governing you're doing. That's why you're going down in the polls, because people are saying it's not fair, that you're not treating people equitably.

Look at the city of Toronto. Sure, while we can develop changes and can look at amalgamations, you decide what's best for people and you shove it down people's throats. That's what you did in Toronto. The people in Toronto did not want to do the amalgamation scheme that you had in mind, but this Harris government decided that's what they were going to do and shove it down people's throats.

The education changes: All of us understand, teachers, trustees, all the educators, the principals and vice-principals, that change must happen. But instead of working with people and bringing along that change and understanding that everybody at the table had to give a little, you decided what were the right answers and shoved all those changes down everybody's throats.

You've got everybody upset by the rate and the speed and the method of how you're bringing about your revolution. If you study your history about revolutions, you understand what happens: There's always a counter-revolution. The revolutionaries usually get knocked off in the end because of the speed and the pace of the way you go about things. That's why revolution really doesn't work.

In a democracy you've got to work with people. You've got to bring people along. You've got to first of all work together to make sure that people understand there is a problem, that these are the problem areas. That can be done in Canadian society, and we've seen that with the deficit. In fact, it was Michael Wilson of the Mulroney government who first wanted to start to educate people that the deficit was a problem. Mind you, he wasn't doing too much about it — he had his long-term target and increased and increased and increased it — but he was starting the dialogue with Canadians that: "Don't expect governments just to send you cheques all the time. We're going to have to start to pay as we go."

I think just about all Canadians now understand that we can't be living the way we used to, high on the hog, way beyond our means. Canadians will change their attitudes and Ontarians will change their attitudes about how government works, how we must finance government. You can work with people in a democracy. You don't need the abrupt revolutionary changes to make things happen. When you do it with consultation, you make them permanent. When you work with people, when you have people agreeing with you, then you can move it along and you've got the permanent change you need.

What you're doing with all your bills is that you're going to force, as we have said and the third party has said, a future government, if that's to be, to repeal holus-bolus large pieces of legislation that you have brought forward because that's what the public is demanding. The public is so upset with the pieces of legislation you have brought in, two of which we have voted on in the last two days, the so-called Education Improvement Act and the municipal downloading.

For you to start changing the whole culture of how we collect our taxes at the local level to service the needs and requirements of property to health care and to social services is absolutely, fundamentally wrong. Even your hand-picked advisers in the Who Does What committee, David Crombie's committee, said that to this government, that property should pay for services to property and should be the realm and the sole realm of municipalities.

But you've ignored that advice to hatch a financial calculation to pay for your 30% tax cut. You've got a mixed and mingled formula of downloading that is absolutely illogical and does not at all disentangle the roles and responsibilities between the provincial and municipal government.

I thought that was the goal and I approved of that goal. We need to do that between all three levels of government. Why do we need two departments of agriculture, for instance, and two departments of environment? We need to continue to disentangle the levels of government so that we all are responsible for certain responsibilities and that's it. We need to do that. But in this particular exercise you haven't disentangled at all. You've still just commingled them and mixed them up and it's a hodgepodge of responsibilities.

I'm very afraid that small rural municipalities are going to have a hard time raising the money to pay for public health. Major municipalities in counties and districts in this province are going to have a hard time funding the increasing needs of our health units to finance the very necessary expenditures for public health. That shouldn't have to come from the local level at all. That should come from the wealth of the province as a whole, through the progressive income tax system, so that the affluent areas of Ontario help share that cost for public health right across the board. That's important. That's what being a Canadian is all about, that we share the weight of the costs across the province and across the country.

But you've distorted that. You've made an abrupt 180-degree turn against that sort of sense that we're there to

help each other. That's our contract with ourselves, that we are there to share that burden, to share that weight. We all come from various means, have different incomes, come from different areas of affluence with different property values, and that system has been there so that we share that responsibility for major areas such as housing and health and the social justice system. That's really important, but you've distorted that.

The system is not going to work, and this bill just exacerbates that. It continues the downloading illogicalities of bringing in fees and responsibilities to the local government that shouldn't be there at all, that should still be provincial responsibilities. That needs to be changed, and I'll tell you, a Liberal government in the future will change that if we get that responsibility. I hope we do get that responsibility, because this has gone far too far and it needs to be changed. We need to be able to sit down with our other levels of government and work this out in a cooperative manner rather than just forcing this download to our municipal partners.

You truly are treating your municipal partners as children of the province, as creatures of the province; not as partners to be respected as having a great job to do at the local level. They do have a great job to do at that local level. We should appreciate them and give them that responsibility and understand that they are there for the welfare of their local citizens. They do a great job. We should salute them and give them great responsibility to take over their responsibilities.

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Mr Gilles Pouliot (Lake Nipigon): It's been quite a week indeed. The revolution seems to have picked up speed. I check my pocket watch and, yes, the train left on time, fully loaded with the faithful members of the brigade, willing and able to share in this adventure.

You recall Bill 160. The reason I start with Bill 160 is that this is a study in genetics, a gene pool where those bills are so closely related that some of them start going backwards, bill after bill, because the revolution is bold. It advances on many, many fronts. Bill 160, in front of our very eyes, was the assault on democracy, the beginning of the end of public education as Ontarians have known it. It's not the last opportunity I have as a member, as a citizen, but one more opportunity this evening to congratulate those community leaders, the teachers, the parents, the students, Ontarians all, who witnessed the assault.

Then the train kept going with Bill 152, the downloading bill, right on to the municipalities. There's only one taxpayer.

Then we had Bill 161, the ransom bill, the guilt bill, where \$40 is taken from students, from school supplies, from the salaries of those women and men teachers at the elementary and secondary levels, to try to lure people in the Christmas season with a few dollars more because they've made a mistake.

Now we have Bill 149, the Fair Municipal Finance Act, a derivative, an offspring of Bill 106, which was fabricated at the same factory.

I want to go back to one of those bills, Bill 152, the downloading bill. An extraordinary event took place earlier today in this very chamber. "Tory Bill Changes End MPP Rebellion," says the Toronto Sun. "The Tories intend to sweeten the 'Who Does What.'" One would understand if it said "intend to sweeten the 'Who Pays for What Deal' with Ontario municipalities." Two members, the member for Oakville South, Mr Gary Carr, and the member for Wentworth North, Mr Toni Skarica, exemplified a great deal of courage. They got off the train. They said to the commissars: "We will stand up. We are elected to represent the people of our constituency, the people of our riding. The people of our riding have spoken to us and we have listened."

Madam Speaker, I wish you to share in the sorrow, because there is a human dimension associated with the courage of Mr Carr and Mr Skarica. They were pressured, they were shackled and they were muzzled. In fact, I had a message at 3 am this morning. Toni and Gary, do not answer the door.

Others were under pressure as well. They took off the muzzle and opted for the feed bag. What they did is they supported the revolution. There aren't too many people who haven't been antagonized as the train moves on and on to village after village, citizen after citizen, as he and the commissars move up the food chain.

You'll recall they started, by regulation, with the marginalized, with people on welfare, and we didn't say much. We thought they would perhaps stop there. Then they moved up the food chain and attacked the civil service, the good people who sit at the back at 8:10 on this Tuesday, December 2, who work diligently and loyally to help and please the regime of the day. But then they went after the most educated group in our province: our teachers. They tried to save no one. Who will it be next?

I truly believe from time to time they pick up the phone book every week before their caucus meeting. They look at the phone book and they say: "Is there one group we haven't antagonized? Maybe the gravediggers haven't been done in." I can assure you that the gravediggers' association will be front and centre at the next caucus meeting and they will concoct a potion, a solution, "Today we'll go after the gravediggers as well." They spare no one.

"Tories to Offer Cities, Towns \$800-million Cash Cushion. 'No Municipality Will Lose Through Downloading,' Eves promises." Why the \$800 million? Because you see — you recall, we talked about it — about two months ago they said this would be revenue-neutral, that we would break even, that it would be a wash. Now an \$800-million cash cushion.

You see, when you act in haste, when you're in a hurry, when you're tired, you make mistakes. This government has no credibility, or so little credibility left. You want to believe them, but there isn't one piece of legislation — my colleagues and friends from the official opposition have mentioned this prior — where you don't have at least some 40 or 50 amendments: "Oops, I've made a mistake."

Then it becomes habitual. They're prolific. They're almost psychological. They keep repeating the same mistake over again, 50 amendments, and then — get this; this you will appreciate — they miss the deadline on amendments, their own deadline. They set the rules. So they say, "We will come up with another bill; we can't put any more amendments so we're going to have another bill, Bill 164," which is a series of amendments.

2010

Remember in that omnibus bag there is Bill 160; it's now becoming law. So that snake came out of the bag. You have Bill 152, la payola, the ransom bill, Bill 161. You have Bill 106, which is the snake at the bottom of the bag, where it all started. And now they throw in 164. Then they dim the lights. Then they come out and they become law. That's what we have.

Let me share with you what is about to happen. I will stop talking; I will let people who walk the walk do the talking. We'll take a little walk together because they're the soldiers. They're the ones who have to administer, the people who deal on a daily basis with that "only one taxpayer," and we will listen to what they have to say. We listen. In fact our government, the previous administration, duly elected, was often accused of too much consultation. People have even said to us, I know they've said to me: "Make decisions. By this time, you should know enough." Only too often we refused. We said, "No, this group and this group and again this group has to be consulted, for they are the people we serve." The same cannot be said about the present government: "Get off the track, we will do it come hell, heck or high water."

It becomes so convoluted; it's so complex; it's ill-thought; there are no checkmarks. But what the heck, democracy will wait for a sunny day. "We'll say the right thing at the right time. Even if we're wrong, we won't admit our mistake. That shows weakness. You will wear our mistake and you shall become weaker."

But this government again is intent: subclasses of taxes, assessment and reassessment. You saw them in your neighbourhood, people who were hired ad hoc in a hurry to assess your home, your little castle. Out came the pocketbook, the official kit. It was instant-made, one day of training. Not your professional assessor, who by the way belonged to OPSEU, not those well-trained professionals, but some of the people who go to the local watering hole and assess from there because some have threatened to shoot them on sight. They will say how many bathrooms, if they dare, apologetically, to go into your — well, it's been done, not once, not 100,000, not one million times. This proliferation is exposing — it is doing for 3.8 million units across the province. Is it the largest ever undertaken in Canada? Is it among the largest on the continent? It is the largest assessment and reassessment ever undertaken in the annals of North America — 3.8 million.

But it's done in such a rush that the ministry — not our party — is saying expect no fewer than 600,000 appeals. It's a circus extraordinaire. It's a tombola out of control. Some 600,000 people will appeal their assessments. You

need the assessment to set your final mill rate — of little concern to the government but they should be very, very concerned.

The tax bill will come some time in June or July. Automatically it will be appealed, but they won't have the right to appeal because the date by which you can voice your concern through appeal will have passed. You will be left alone. You will be vulnerable and then the people in the municipality must make ends meet. They're not going to get the difference between the downloading costs and the empty promise. They'll still be waiting for that cheque in the mail. They will turn to the people to round up the money, to the small business community. You've guessed it.

You're signalling to me, what about big business? I agree with you. Big business, they're the winners in this game of winner take all. You see, if you're a bank — and I know they've been much maligned and they will be the first ones to tell you and repeat to you that they pay handsome taxes, that they provide some employment, not as much as yesteryear but still do. The tellers are paid a full \$21,000 per annum, and I don't have the time to go up the line and tell you how much for the winner take all at the top. They will get a break. Who is going to pick up the slack? They have transition money but it won't be enough.

The homeowner is going to pick up the slack because while you're getting a tax break on the education portion, as a homeowner, you will have to pay for policing; you will have to pay for Ms Jones for community health; you will have to pay for housing; you will have to pay for ambulance services; you will have to pay for the portion of people who need a prescription if they're marginalized, if they're on welfare, if they're on social assistance. The money you have to pay at the municipal level will exceed, will surpass the break you get on your education portion. Very simple: They will give you a small break, but now you will take over a range of responsibilities and you will have to pay.

We've asked the government about an impact study: "Surely you've done some homework. You've consulted with people, you've had some pilot projects, you've gone across the province." Any sensible government would have done that. It's the thing to do; it's normalcy; it's what you think about immediately. "Let's test it. Let's do a timetable. Let's be wise about it because it's impacting, it hits people in the pocketbook." No, there is no impact study.

December 2, and nothing will move after December 15, December 17. Christmas is for most of us. Then we will be propelled into January, but the bills will start arriving in January. The municipalities will be left to collect 50% of the tax levy based on the last year. Who's going to make up the difference? If you ask about the transition, "How do we apply? What are the cost factors? What about auditing? What about our costs? Will they match yours?" people don't have the answer. What a mess we're in. Why not take longer if you still wish to do it?

I want to go back to assessment for a second. I don't throw too many things away because when I throw some

papers away and I think they're no longer relevant, they're dated, they no longer serve the purpose, almost inevitably I'm attacked with a bill such as this one, Bill 149, and I say, "I wish I would've kept my files."

This is a document which is dated June 2, 1995. It's addressed, "To the homeowners in Cabbagetown, Moore Park and Rosedale" — that's downtown Toronto I suppose; I need your help. It says, "My party and I will never" — underline never — "support the imposition of market value assessment in Toronto."

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Mr Marcel Beaubien (Lambton): When was that?

Mr Pouliot: "Common Sense for a Change," June 2, 1995, signed by Al Leach, Minister of Municipal Affairs, engineer, architect of this ill-fated document.

The Common Sense Revolution said — "If we don't do as per the Common Sense Revolution, I shall resign." People are listening and they are saying to M. Leach: "Out the door. Do the honourable thing while you have an ounce of dignity left. Resign. Disperse. Out." This is a contradiction if there ever was one.

Then I turn to another page — I'm saddened to say; I don't wish to appear, I don't want anyone to have the idea that I attack everyone — and page 2 says: "The Liberals milked Metro dry. When the Liberals were in power, they treated all taxpayers" — they mean all of us, but particularly Metro — "like cash cows. They increased taxes 33 times in five years."

The Conservatives are saying that about the Liberals. There is not a word here about the New Democratic Party of Ontario.

The next page says the market value plan is nothing. It says: "The policy of the Progressive Conservative Party has always been that we will never impose market value assessment on Toronto. We remain firm in that position." Then they ordered Jell-O for everybody.

Ms Lankin: Who said that?

Mr Pouliot: Another cabinet minister said that.

Ms Lankin: Another cabinet minister?

Mr Pouliot: Two of them: We've had M. Leach and another cabinet minister.

"Mike Harris will relieve upward pressure on property taxes." Mike Harris, this is what he will do. I hope all municipalities in Ontario are listening, all 800-plus. I know there's a great deal of anxiety. There's been no explanation — very little. Anxiety leads to fear. But Mike Harris said, when he wanted your vote, "Stop the downloading of mandates on municipalities." Bill 152 is called the downloading bill. What is Bill 106 doing, the close cousin? What about the brother? Mike Harris said that. Unbelievable. Enough time on this.

Let me share with you some of the comments. It was like a caravan, coming from all over Ontario: municipalities, business people, conglomerates, everyone was at the table as a presenter, trying to warn the government — foes, friends, allies, enemies, one after the other, half-hour slot.

The Association of Municipalities of Ontario represents 95% of Ontarians through their towns, villages, hamlets,

municipalities. This is what they said: "Ontario property taxpayers contribute more than \$14 billion each year to public sector spending, an amount almost equivalent to personal income tax in this province. Bill 149" — the piece we have for consideration — "has given municipalities the option of providing tax rebates to charities and similar organizations of up to 40%." This is the human dimension; this is well thought of.

"While municipalities understand the rationale for this provision to provide these rebates, we would like to reiterate our belief that this rebate should remain at the discretion of the local municipality."

The government cuts the funds. The Progressive Conservatives cut the funds. Then they say to the municipality that you give them some, but you absorb the difference. They did the same.

Then the Canadian Opera Company. It was something, one of those when you had to be there to fully appreciate it. With all the sincerity at their command, with the good office they represent, with our souls that they bless with their talent, accompanied by the saltimbanco, the democratic theatre, if you wish, followed by the panache, the accoutrements of large endeavours, international shows, and they, knock, knock, came calling; knock, knock, knock, came calling again. The government sitting there in their splendour and saying, "We shall decree, we shall tell the municipality that you will not be taxed." It was du grand théâtre. It was something. No one had missed their calling and no one missed calling.

The irony, when you go back into those files that you never threw away, is you find the devil. They had cut them by about a third. They cut the grants because they had to balance the books. We don't see this coming to the House. Through debate, we find out these things. Democracy slows things down. Accountants, they get in the way. Let's hear it for the government. They cut you off and then they force the municipalities to go without their revenues.

If you say, "Well, I should have the discretion," no, no, no, because M. Leach, with his colleague and cohort M. Eves, has concocted the deal. You'll find it in Albert Camus. He calls it *La Peste*. Not cholera, not typhus; this is the worst concoction, one of the highest order. Now it's confined to two ministers, but it gets worse.

What does AMO tell us again? These people are trying very, very hard. They're saying, "Give us the opportunity to increase the interim tax levy." Bon. They're going to break even. This is a wash. "Don't worry. I, Mike Harris, tell you your property taxes will not go up." That's breaking even. If somebody's taxes go up, it's not breaking even and our Premier will be blamed.

AMO senses that. They're at the avant-garde. They've been there before. "Further, to assist municipalities to cope with the fiscal challenges of the Who Does What transfer, the government must demonstrate how the bill will facilitate municipalities to levy more than 50% of their previous year's assessment if necessary." In other words, they sense that we won't have enough money because it's going to cost us more to operate now because you've downloaded; you've dumped on us. "So can we go

to the taxpayers earlier and charge them more than 50% on their last year's tax bill so we can make ends meet?"

But the Premier says: "Don't worry. Trust me. Things will come to pass. The sky won't fall." I know that we are a constitutional monarchy. I know that the adversarial system is alive and well. I also know that when it makes little sense, you can't say, "Damn the principles; one for the party." It's far too expedient. Well, today we have had a crack in the armour. Two people stood at their posts, sentries. I know we admire them. Every one of us with the opposition was present today, and they got our collective and individual salutations and commendations.

2030

Let it be an example to others who, in their heart, because they are listening to their constituents, feel the anxiety. They know that they won't put the brakes on. They are so advanced in their agenda, in their mantra, that they will push through and go through no matter who gets hurt. Hopefully there will be enough fine soldiers at their posts, fine citizens who are saying: «Débout. Madame, entends-tu le bruit de son pas, le son de sa voix, ces gens qui te font signe d'attendre, d'appliquer un peu les freins?» Ce sont des gens de notre pays, des gens de chez nous, du plus petit village à l'urbain le plus sophistiqué dans cette collectivité, en ce soir d'attente, en ce soir de peur, qui signalent avec le projet de loi 149 et les autres qui suivront à court échéance: «Attention. Ne faites pas mal aux gens, Monsieur le Premier ministre. Arrêtez.»

Mais, vous savez, encore une fois, avec ces gens, on parle peu. Avec ces gens, Madame, on s'excuse. Mais toujours, du pauvre ou moins bien nanti au petit-salarié, avec ces gens, chose certaine: on paie, et on paie toujours pour le bénéfice des mieux nantis, de ceux qui peuvent s'échapper du peloton, qui peuvent courir le plus vite. Je vous demande de chercher dans votre âme si nous avons une justice sociale, une justice équitable présentement en Ontario.

The Association of Municipal Clerks and Treasurers of Ontario: Those are the women and men at the local level. We all know them, especially in medium-sized or small communities across the province. We know who the clerk-administrator is; we know who the clerk-treasurer is. They made a presentation. The opposition listened very intently. We were there to learn, trying to help, and oh, were we about to learn. They were fairly direct. I was quite surprised — I guess when there is no other way, you cut to the chase and you invoke direct action.

"Implementation on January 1, 1998," a little more than three weeks from now, "is a high-risk situation for the stability and financial health of the municipal sector." Simple, isn't it? "Be careful three weeks from now." That's what they're saying. They have nothing to gain. Very few of them are political, if you wish; they have no political agenda. They are there to serve. They are technicians, and they are saying, "High-risk situation."

They've said it before. The reason they go for the action directe is because they've said it again and again but there were no takers with the revolution. "Once again, we suggest that there has to be more information-sharing,

particularly given the timetable for review and implementation of Bills 106 and 149. To perform functions effectively, clerks and treasurers need all the information they can get," and do it pronto, "as soon as possible."

Did the government listen? We'll be voting tomorrow on Bill 142. The government will use its majority muscle and they will push it through: no impact study, no consultation.

To summarize this particular point, we who are responsible for implementation do nothing so that there is either enough time or enough information to expect or even hope for smooth implementation as planned. Chaos. Hopefully the sky won't fall, but the clouds will get very, very low. That's what the technicians are saying; this is what the politicians have said. They're in unison. They agree with the message: Give us more information. Take your time. You can achieve your agenda. Be it that we're philosophically and politically different. We might not share the same values, but they're saying, "Give us a chance to adjust." This is an overload of legislation.

I see the good people at finance there at the back and I want to thank them, because every time I wanted some information or some clarification, you tried your best. You're to be commended: a departure from form. I don't know how you do it. I don't know. Sometimes I think you're the only people who understand all that. You might be the only people who have all the information, so you have a bit of an advantage, and they don't want you — and it's not your role; I'm not asking — to share it with us. I don't want to have a brown envelope on my desk tomorrow with something in it. I wouldn't feel it's quite the way we do business. But I would wish them to come up with the right information so I can best represent the people and do my job. I mean, this is a little long; we've been at it time and time again now. Somebody will have to come clean, because citizens must do some planning. Municipalities must plan. They must plan for 1998 in 1998, and unless they have the tools to do the job they're paired with, they cannot address their mandate. To me it's very commonsensical, it's not extraordinary. That's what people would ask for.

I know we're nearing our deadline and I have so many presenters whom I wish to thank for taking the time to come to us with their expertise.

I want to share with you one from Peter Robertson, the mayor of the city of Brampton. One cannot accuse his worship of being — his worship believes that if you're a Maoist, you live in Maui, and this is as far as it goes. This is a most reasonable person, very centre-of-the-road. That's right, that's Peter, with respect, His Worship Mayor Robertson, of the city of Brampton:

"I am astounded that the Conservative government, which has the great respect of the business sector" — I mean, among friends — "is moving ahead on assessment reform that fundamentally alters incentive. If a Conservative government does not know the fundamentals of incentive, who does?"

Mayor Robertson is saying that you keep on in your ways and you won't have many friends. Peter Robertson is

saying that you're eating your young, that you have no friends. The business community is deserting you. They don't return your calls, they don't answer you.

2040

My God, it's not a good feeling, yet it can still be rectified. It won't be easy. Some people will feel that they're losing face, that it's not the way. "We are a government that said we would proceed with the revolution." They never mentioned these, though. They never mentioned downloading; it was quite the opposite. "But we'll show people that we're tough. We will show people who's boss. Then the people will get used to it and they'll like it. They'll like the toughness and then we will get re-elected." Well, it's not going to happen.

I would like to conclude by sharing with you almost each and every one of the dozen presenters. It's all here for verification. It's them speaking. These are their words, their alternatives, their equilibrium, their balance, their common sense, and they say to you: "Take a little longer. Give us a chance to prosper. We will help you do things. Stop what you're doing for a time. Put the brakes on." I know some of the backbenchers are acquiescing, are saying: "Maybe there's some truth with the presenters. Maybe what they're saying in their presentations makes sense."

It's not all bad. A group that calls itself Young People's Theatre — the Fair Municipal Finance Act — with 24 full-time positions, 110 contract positions for "artistes" and 155 part-time support staff, wishes to commend and congratulate the new Minister of Culture, Madame Isabel Bassett. The Young People's Theatre believes that the appointment of that minister is perhaps the best coup, the best appointment, the wisest appointment this government has made — culture and recreation, I have to say a good choice was made. Sorry about the other ministers because they don't even begin to rise to the occasion in their respective mandates. I see the Minister of Education, the former Minister of Health, with respect, Mr Fix-it, or Mr Break-it, has joined us.

I'm going to ask the minister, do you live here? Your office must be pretty large indeed. You have a shower in there. You spend a lot of time in the corridors. I want to commend you for the good work you did. It's a lot safer here. You'll feel very much at home. Security nowadays: I hear people say, "I don't wish ill to any government, but why doesn't somebody and somebody" — I'm a great believer in democracy and voicing your disagreement and

your alternatives here and at the ballot box. I want to thank you for taking the time to come and listen to our presentation.

I thank you, Madame Speaker, and I say to the people out there, please do not despair. There are still some people with you to make sure you will be able to operate. It's not all on one side. I know when the roll comes and the tide hits it seems that way, but no, be positive. You are not alone. It has been a bad period. You've had Bill 160, the systematic and deliberate attempt to destroy public education. You've had Bill 26, a direct attack on democracy, where the opposition has been muzzled. You've had Bill 152. It's going to cost you more. I'm sorry. Tonight you've had Bill 149, but do not despair, because the clock is ticking there as well and in a year and a half, at most, we will have the chance to restore normalcy and democracy.

The Deputy Speaker (Ms Marilyn Churley): Further debate. Seeing none, I shall call for the vote. Mr Eves has moved third reading of Bill 149. Is it the pleasure of the House that the motion carry?

All those in favour of the motion, please say "aye."

Those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members; there will be a five-minute bell.

I just received a letter from the government member. It reads:

"Dear Mr Speaker:

"Pursuant to standing order 28(h), I would like to request that the vote on Bill 149...be deferred until Wednesday, December 3, 1997.

"Thank you for your assistance in this matter.

"David Turnbull," the whip.

Interjection.

The Deputy Speaker: A point of privilege? You're not in your seat. Sorry, I can't take your point of privilege from there.

Orders of the day.

Hon David Johnson (Minister of Education and Training): Madam Speaker, I move the adjournment of the House.

The Deputy Speaker: Is it the pleasure of the House that the motion carry? Carried.

This House stands adjourned until 1:30 of the clock tomorrow.

The House adjourned at 2047.

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